

Standing Appropriations Bill Senate File 601

FINAL ACTION

April 28, 2007

An Act relating to State and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of State employees, providing tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

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**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 601
STANDING APPROPRIATIONS BILL**

FUNDING SUMMARY

***DIVISION I – MENTAL HEALTH
ALLOWED GROWTH***

***DIVISION II – STANDING APPROPS.
AND RELATED MATTERS***
BUDGET FORMAT

CAPITOL SECURITY

STANDING APPROPRIATION LIMITS

PROPERTY TAX CREDIT FUND

UNDERGROUND STORAGE TANK

- Appropriates a total of \$260.7 million from the General Fund for FY 2008. This is an increase of \$110.9 million compared to the estimated FY 2007 appropriations for the affected budget units in this Bill. Also appropriates \$180.4 million from other funds for FY 2008. This is an increase of \$9.5 million compared to the estimated FY 2007 appropriations for the affected budget units. In addition, this Bill adds 5.5 FTE positions.
- Appropriates \$64.6 million for Mental Health Allowed Growth for FY 2009. This is an increase of \$8.1 million compared to the FY 2008 estimated appropriation that includes the \$5.6 million increase for FY 2008 in HF 909 (FY 2008 Health and Human Services Appropriations Bill) and the \$12.0 million additional mental health growth in HF 909. (Page 1, Line 4)
- Permits the Executive Branch to continue to use the budgeting-for-results process for FY 2009 in lieu of the information currently required by statute. (Page 1, Line 24)
- Requires \$775,000 for expenses associated with Capitol Building and Judicial Building security to be funded within the Legislative Branch budget for FY 2008. (Page 2, Line 9)
- Limits the following FY 2008 General Fund standing appropriations to the amounts specified to maintain the current level of funding:
 - \$14.4 million to the Department of Education for Instructional Support. (Page 2, Line 22)
 - \$8.6 million to the Department of Education for Non-Public Transportation. (Page 2, Line 25)
 - \$55.5 million to the Department of Education for the Educational Excellence Program. (Page 2, Line 32)
 - \$2.7 million to the Department of Revenue for the Statewide Fire and Police Officer Retirement Fund. (Page 2, Line 35)
- Appropriates \$131.9 million from the FY 2007 General Fund ending surplus to the Property Tax Credit Fund. (Page 3, Line 5)
- Appropriates \$28.0 million from the General Fund to the Property Tax Credit Fund. (Page 3, Line 21)
- Appropriates funds from the Property Tax Credit Fund for the following property tax credits and exemptions:
 - \$99.3 million for the Homestead Property Tax Credit. (Page 3, Line 34)
 - \$34.6 million for the Agricultural Land and Family Farm Tax Credit. (Page 4, Line 2)
 - \$2.8 million for the Military Service Tax Credit. (Page 4, Line 5)
 - \$23.2 million for the Elderly and Disabled Tax Credit. (Page 4, Line 8)
- Transfers \$3.0 million from the Comprehensive Petroleum Underground Storage Tank Fund to the General Fund for FY 2008. (Page 5, Line 6)

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CASH RESERVE FUND

ENVIRONMENT FIRST FUND

AREA EDUCATION AGENCIES

***DIVISION III – SALARIES AND
COMPENSATION***

***DIVISION IV – OTHER APPROPS.
AND RELATED MATTERS***

ADMINISTRATIVE SERVICES

INTERPRETERS FOR THE DEAF

COMMUNITY COLLEGE SALARIES

ELDER AFFAIRS

COLLEGE AID COMMISSION

- Eliminates the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund to maintain a maximum balance equal to 7.5% of the Revenue Estimating Conference estimate for FY 2008 as established in December 2006. (Page 5, Line 13)
- Increases the Environment First Fund standing appropriation from the Rebuild Iowa Infrastructure Fund from \$35.0 million to \$40.0 million. (Page 5, Line 17)
- Reduces the State aid allocation for Area Education Agencies (AEAs) by \$5.3 million for FY 2008. This reduction is \$2.8 million less than the FY 2007 reduction. (Page 5, Line 25)

Makes the following salary and compensation provisions:

- Provides a 2.0% increase in salaries for the justices, judges, and magistrates. (Page 6, Line 14)
- Increases the salary ranges for State officers by 3.0%. (Page 7, Line 21)
- Appropriates \$106.8 million from the General Fund for the Salary Adjustment Fund and allocates \$6.8 million for the Judicial Branch. (Page 10, Line 31)
- Appropriates \$2.3 million from the Road Use Tax Fund and \$11.8 million from the Primary Road Fund to the Salary Adjustment Fund. (Page 14, Line 7 and Page 14, Line 15)
- Provides supplemental expenditure authorization for revolving trust funds, or other special funds, except the Road Use Tax Fund and the Primary Road Fund, to be used to fund salary adjustments. (Page 14, Line 28)
- Permits sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, to receive the same per diem meal allowance as covered sworn peace officers. (Page 15, Line 17)
- Allocates \$400,000 from the Salary Adjustment Fund for State Patrol overtime pay. (Page 15, Line 24)

Makes the following FY 2008 General Fund appropriations (unless otherwise noted):

- \$120,000 for the State's share of support for the shuttle service provided by the Des Moines Area Transit Authority. (Page 18, Line 20)
- \$200,000 to the Department of Education for allocation to Iowa Western Community College for salaries and support for interpreters for the deaf. (Page 19, Line 2)
- \$2.0 million to the Department of Education for allocation to the community colleges to supplement faculty salaries. (Page 19, Line 13)
- \$50,000 to the Department of Elder Affairs for a Livable Community Initiative. (Page 20, Line 15)
- \$500,000 to the College Student Aid Commission for the All Iowa Opportunity Assistance Program. This appropriation is to supplement the General Fund appropriation of \$1.0 million for this Program in SF 588 (FY 2008 Education Appropriations Bill). (Page 21, Line 10)

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FARM MEDIATION

- \$150,000 to the Office of the Attorney General for the Farm Mediation Services Program. (Page 22, Line 3)

PUBLIC HEALTH

- \$200,000 to the Department of Public Health for a grant to operate the 211 Program Call Centers. (Page 22, Line 13)

JUDICIAL RECEIPTS

- Repeals allocations of \$18.2 million in judicial receipts, resulting in the receipts being deposited into the General Fund. Makes appropriations from the General Fund to the Judicial Branch (\$14.2 million), Indigent Defense (\$3.0 million), Department of Corrections (\$560,000), and Office of the Attorney General (\$450,000) to offset the repeal of the allocations. (Page 23, Line 7 through Page 24, Line 13; Page 32, Line 31 through Page 34, Line 21)

PLASMA ARC TECHNOLOGY

- \$150,000 FY 2007 supplemental appropriation to the Department of Natural Resources (DNR) for a feasibility study on the use of plasma arc technology for the disposal of solid waste. (Page 24, Line 23)

TRANSPORTATION

- Increases the FY 2008 Road Use Tax Fund appropriations by \$17,000 and the 2008 Primary Road Tax Fund appropriations by \$103,000 and 1.0 FTE position the for the Operations budget in the Department of Transportation. (Page 26, Line 8 and Page 26, Line 14)
- An increase of \$43,000 from the Road Use Tax Fund for payment to the Department of Administrative Services (DAS) for personnel and utility services. (Page 26, Line 22)
- An increase of \$265,000 from the Primary Road Fund for payment to the DAS for personnel and utility services. This increase, combined with the Road Use Tax Fund increase, represents a total increase of \$309,000 compared to the amount appropriated in HF 752 (FY 2008 Transportation Appropriations Bill). (Page 26, Line 28)

ENERGY INDEPENDENCE

- Adds up to 4.0 FTE positions in the Office of Energy Independence for FY 2007 with funding from the Iowa Power Fund as appropriated in HF 927 (Iowa Power Fund Appropriations Bill). (Page 27, Line 8)

WORLD FOOD PRIZE

- \$1.0 million for the World Food Prize Award beginning in FY 2009. This is a new standing appropriation. There was a \$250,000 General Fund appropriation to the World Food Prize for FY 2008 in SF 562 (FY 2008 Economic Development Appropriations Bill). (Page 28, Line 10)

EDUCATION BLOCK GRANT

- Extends the \$29.3 million General Fund appropriation and the sunset date for the Early Intervention Block Grant Program through FY 2012. (Page 30, Line 34 and Page 31, Line 4)

CHILD DEVELOPMENT STANDING

- Increases the General Fund standing appropriation to the Department of Education for programs for at-risk children to \$12.6 million, an increase of \$46,000 compared to the current statutory amount and an increase of \$1.3 million compared to the FY 2007 appropriation. (Page 31, Line 8)

***DIVISION V – APPROPRIATION
ADJUSTMENTS***

VETERANS HOME ASSISTANCE

- Appropriates \$1.0 million form the Rebuild Iowa Infrastructure Fund (RIIF) for the Iowa Finance Authority to continue the Veterans Home Ownership Assistance Program. (Page 35, Line 3)

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**SENATE FILE 601
STANDING APPROPRIATIONS BILL**

**ECONOMIC DEVELOPMENT
APPROPRIATION REDUCTIONS**

- Decreases appropriations in SF 562 (Economic Development Appropriations Bill) as follows:
 - \$100,000 from Community Development Programs by \$100,000. (Page 35, Line 28)
 - \$200,000 from the World Food Prize. (Page 36, Line 10)
 - \$100,000 from the University of Northern Iowa (UNI). (Page 36, Line 16)

**JUSTICE SYSTEM APPROPRIATION
REDUCTIONS**

- Decreases appropriations in SF 575 (FY 2008 Justice System Appropriations Bill) as follows:
 - \$500,000 from inmate educational programs. (Page 36, Line 35)
 - \$200,000 from the Sixth Judicial District. (Page 37, Line 7)

VOTER REGISTRATION

- Decreases the appropriation to the Secretary of State for Administration and Elections in HF 874 (Administration, Regulation Appropriations Bill) by \$100,000. (Page 37, Line 14)

***DIVISION VI – MISCELLANEOUS
STATUTORY CHANGES***

ADMINISTRATIVE SERVICES

- Permits the Director of the Department of Administrative Services (DAS) to purchase goods and services when a limitation of vendor liability is provided. (Page 38, Line 4)

MILEAGE RATE

- Specifies the reimbursement for use of personal vehicles while on State business must fall within a range of not less than 90.0% or more than 110.0% of the maximum allowable under the federal Internal Revenue Service rules. (Page 39, Line 2)

WAGE-BENEFIT TAX CREDITS

- Decreases the total amount of Wage-Benefit Program tax credits that may be awarded each fiscal year from the current \$10.0 million to \$4.0 million. The change is effective in FY 2008. The credit limit for FY 2007 remains at \$10.0 million. (Page 40, Line 9)

OFFICE OF ATTORNEY GENERAL

- Requires the Office of the Attorney General to be reimbursed up to \$150,000 annually from the Second Injury Fund. (Page 40, Line 29)

GAMBLING STUDY

- Delays the next socioeconomic study of the impact of gambling on Iowans from calendar year 2008 to 2013. (Page 42, Line 7)

ENDOW IOWA TAX CREDIT

- Provides for quarterly transfers of certain wagering tax receipts to reimburse the State General Fund for Endow Iowa Tax Credits. (Page 42, Line 14)

AG DEVELOPMENT AUTHORITY

- Removes the Agricultural Development Authority from the Office of the Treasurer of State and makes other organizational changes. (Page 42, Line 29 through Page 43, Line 26)

FARM-TO-SCHOOL PROGRAM

- Creates a Farm-to-School Program and a Farm-to-School Council to promote the purchase of locally-grown or regionally-produced food for Iowa school children. (Page 43, Line 27 through Page 45, Line 4)

MOTOR/BIOFUEL LABORATORY

- Establishes a laboratory for motor fuel and biofuels at Iowa Central Community College. (Page 45, Line 5)

CHILD CARE PAYMENTS

- Requires the Department of Human Services (DHS) to allow providers to choose between biweekly or monthly billing and payment. (Page 47, Line 2)

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EDUCATOR LICENSURE

- Permits teacher preparation institutions to contract with school districts, accredited or licensed private schools, and education agencies to offer preservice licensure experiences, including student teaching, prestudent teaching experiences, field experiences, practicums, clinics, and internships. (Page 47, Line 32)

PROFESSIONAL DEVELOPMENT

- Specifies a formula for allocating professional development dollars to Area Education Agency (AEA) staff included in the Student Achievement and Teacher Quality Program. (Page 49, Line 34)

CULTURAL AFFAIRS

- Permits the Department of Cultural Affairs to develop and implement fee-based educational programming. (Page 51, Line 4)

ASSOCIATION SELF-INSURANCE

- Requires members of a self-insured association to carry a financial liability card in the member's vehicle and permits the association to act as a legal entity. (Page 51, Line 10)

MEDAL OF HONOR PLATES

- Exempts a person issued a Medal of Honor license plate from paying a special plate fee and annual vehicle registration fee and makes other rule changes. (Page 51, Line 34 through Page 53, Line 35)

SCHOOL TUITION TAX CREDIT

- Increases the amount of the School Tuition Organization Tax Credit from \$5.0 million to \$7.5 million beginning in calendar year 2008. (Page 55, Line 23)

SALES TAX EXEMPTIONS

- Amends the current sales tax exemption for the price of items used in the fulfillment of a written construction. (Page 55, Line 31)

MOTOR FUEL VEHICLE TAX

- Extends the current motor vehicle fuel tax schedule from June 30, 2007, to June 30, 2012. (Page 57, Line 3)

SANITARY LANDFILL EXEMPTION

- Exempts a sanitary landfill used for coal disposal that is owned by an electric generating facility from filing a comprehensive plan with the DNR. (Page 57, Line 17)

COMPETITIVE BID EXEMPTION

- Adds the Department of Natural Resources (DNR) to the list of exemptions related to competitive bid laws. (Page 57, Line 33)

WINE GALLONAGE TAX

- Exempts wine imported for use in manufacturing native wine prior to June 1, 2007, from the Wine Gallonage Tax. (Page 60, Line 25)

LEGISLATIVE PROPERTY TAX
STUDY COMMITTEE

- Establishes a Legislative Property Tax Study Committee and specifies the membership. The Committee will meet during the 2007 and 2008 interims and submit a final report to the General Assembly by January 5, 2009. (Page 60, Line 31)

DEVELOPMENT SCHOOL TASK
FORCE

- Requires the Department of Education and the University of Northern Iowa (UNI) to convene a task force to study the feasibility of creating a research and development school for grades Prekindergarten through 12. (Page 62, Line 34)

DIVISION VII – ELDER SERVICES

- Transfers regulatory control of elder group homes, assisted living programs, and adult day services for licensing and monitoring purposes from the Department of Elder Affairs to the Department of Inspections and Appeals. Also, provides transitional provisions for administrative rules. (Page 64, Line 10 through Page 90, Line 27)

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DIVISION VIII – FOOD INSPECTIONS

EGG HANDLER FEES

***DIVISION IX – ABSENTEE BALLOT
AFFIDAVITS***

***DIVISION VIII – CORRECTIVE
PROVISIONS***

EFFECTIVE DATES

ENACTMENT DATE

- Makes changes regarding the licensing and inspection of hotels, home food establishments, and food establishments. This Division also increases the license fees by various amounts for these businesses. (Page 90, Line 30 through Page 99, Line 22)
- Increases the fees for egg handlers. (Page 100, Line 12)
- Makes changes related to absentee ballot affidavits. (Page 101, Line 31 through Page 110, Line 18)

- Provides technical corrective provisions. No specific explanation is provided for these Sections. (Page 110, Line 21 through Page 119, Line 8)
- The following Sections are effective on enactment:
 - Section 5 - Property Tax Credit Fund. (Page 6, Line 9)
 - Section 42 - appropriation to the DNR for the Plasma Arc Technology Grants. (Page 34, Line 22)
 - Section 61 - extension of the Early Intervention Block Grant Program. (Page 34, Line 26)
 - Section 44 - nonreversion of funds for performance audits. (Page 34, Line 29)
 - Section 45 - nonreversion of funds for the Great Places Initiative. (Page 34, Line 32)
 - Section 83 - time limitation of the interchange of federal, State, and local government employees. (Page 63, Line 22)
 - Section 126 - exemption of wine from the wine gallonage tax. (Page 63, Line 26)
 - Sections 106 and 107 - Medal of Honor license plates. (Page 63, Line 30)
 - Section 128 – research school feasibility study. (Page 63, Line 34)
- This Bill was approved by the General Assembly on April 28, 2007.

Senate File 601 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
2	22	4.1	Nwthstnd	Sec. 257.20	State Appropriation for Instructional Support
2	25	4.2	Nwthstnd	Sec. 285.2	State Aid for Nonpublic School Transportation
2	32	4.3	Nwthstnd	Sec. 294A.25(1)	Educational Excellence Program Appropriation
2	35	4.4	Nwthstnd	Sec. 411.20	Peace Officers' Retirement Appropriation
3	5	5.1	Nwthstnd	Sec. 8.57	Property Tax Credit Fund
3	25	5.2	Nwthstnd	Sec. 425.01, 425A.1, 426.1, 426A.1A, 425.16 through 425.40, and 8.56	General Fund Standing Appropriation and Cash Reserve Fund Provisions
3	34	5.2(a)	Nwthstnd	Sec. 425.1	Homestead Property Tax Credit Appropriation
4	2	5.2(b)	Nwthstnd	Sec. 425A.1 & Sec. 426.1	Agricultural Land and Family Farm Tax Credits Appropriation
4	5	5.2(c)	Nwthstnd	Sec. 426A.1A	Military Service Tax Credit Appropriation
4	8	5.2(d)	Nwthstnd	Sec. 425.16 through 425.40	Elderly and Disabled Tax Credit Appropriation
4	33	5.3	Nwthstnd	Sec. All	General Fund Surplus Prioritization
5	6	6	Nwthstnd	Sec. 455G.3(1)	Underground Storage Tank Fund Transfer
5	13	7	Nwthstnd	Sec. 8.57(1)(a)	Elimination of Cash Reserve Fund Appropriation
5	17	8	Amends	Sec. 8.57A(4)	Environment First Fund RIIF Appropriation
5	25	9	Amends	Sec. 257.35(4)	Area Education Agency Funding Reduction
16	22	25	Amends	Sec. 20.5(3)	Public Employment Relations Board Compensation
16	30	26	Amends	Sec. 99D.6	Racing and Gaming Administrator Salary
17	30	27	Amends	Sec. 421.1A(6)	Property Assessment Appeal Board Salaries
18	5	28	Amends	Sec. 602.1301(2)(b)	Supreme Court Salary Reporting
25	2	42	Nwthstnd	Sec. 8.33	Nonreversion of Plasma Arc Technology Appropriation
25	13	44	Adds	Sec. 16.4, Chapt. 1177, 2006 Iowa Acts	Nonreversion of Performance Audit Funding
25	21	45	Adds	Sec. 5.6, Chapt. 1180, 2006 Iowa Acts	Nonreversion of Great Places Initiative Funding

Page #	Line #	Bill Section	Action	Code Section	Description
25	30	46	Adds	Sec. 1.6, Senate File 562, 2007 Iowa Acts	Nonreversion of Great Places Initiative Funding
26	4	47	Repeals	Sec. 15, House File 641, 2007 Iowa Acts	Judicial Installment Agreement Processing Allocation Repeal
26	8	48	Amends	Sec. 1.2(a), House File 752, 2007 Iowa Acts	Road Use Tax Fund Appropriation
26	14	49	Amends	Sec. 2.1(a), House File 752, 2007 Iowa Acts	Primary Road Fund Appropriation
26	22	50	Amends	Sec. 1.3, House File 752, 2007 Iowa Acts	Road Use Tax Fund for Personnel and Utility Services
26	28	51	Amends	Sec. 2.2, House File 752, 2007 Iowa Acts	Primary Road Fund for Personnel and Utility Services
26	34	52	Amends	Sec. 7.4(a), House File 874, 2007 Iowa Acts	Insurance Division Staffing
28	10	56	Adds	Sec. 15.391	World Food Prize Award Standing Appropriation
28	19	57	Adds	Sec. 15.392	World Food Prize Youth Institute
29	12	58	Amends	Sec. 15F.203(3)(e)	Water Trails Defined as Vertical Infrastructure
29	24	59	Amends	Sec. 15F.204(8)	Community Attraction and Tourism Program RIIIF Appropriation Extension
30	34	60	Amends	Sec. 256D.5(4)	Early Intervention Block Grant Appropriation Extension
31	4	61	Amends	Sec. 256D.9	Early Intervention Block Grant Sunset Extension
31	8	62	Amends	Sec. 279.51(1)	At-Risk Children Program Appropriation
31	15	62	Amends	Sec. 279.51(1)	At-Risk Children Program Allocations
32	23	63	Amends	Sec. 469.10(2) and House File 927, 2007 Iowa Acts	Office of Energy Independence Staffing
32	31	64	Amends	Sec. 602.1304(2)(b)	Allocation of Judicial Receipts
34	20	65	Repeals	Sec. 602.8108(8-11)	Allocation of Judicial Receipts
35	23	70	Nwthstnd	Sec. 8.33	Nonreversion of Veterans Home Assistance Program
35	28	71	Amends	Sec. 3.3(a & b), Senate File 562, 2007 Iowa Acts	Community Development Programs Appropriation

Page #	Line #	Bill Section	Action	Code Section	Description
36	10	72	Amends	Sec. 3.4, Senate File 562, 2007 Iowa Acts	World Food Prize Appropriation
36	16	73	Amends	Sec. 14(1 & 3), Senate File 562, 2007 Iowa Acts	Myentrenet Appropriation
36	35	74	Amends	Sec. 4.1(b), Senate File 575, 2007 Iowa Acts	Inmate Education Appropriation
37	7	75	Amends	Sec. 5.1(f)	Sixth Community Based Corrections Appropriation
37	14	76	Amends	Sec. 19.1, House File 874, 2007 Iowa Acts	Administration and Elections Appropriation
37	29	77	Amends	Sec. 7E.7(1)	Iowa Finance Authority Separate Department
38	2	78	Repeals	Sec. 7E.7(2)	Agricultural Development Authority Separate Department
38	4	79	Adds	Sec. 8A.311	Vendor Liability Limitation
39	2	80	Amends	Sec. 8A.363(1)	Personal Vehicle Use Reimbursement
40	1	81	Amends	Sec. 15F.303(3)(b)	Vision Iowa Grant Eligibility
40	9	82	Amends	Sec. 15I.3(4)	Wage-Benefit Program Tax Credits Reduction
40	22	83	Amends	Sec. 28D.3(4)	Employee Interchange Time Limitation
40	29	84	Amends	Sec. 85.66	Second Injury Fund Reimbursement
41	23	85	Amends	Sec. 85.67	Second Injury Fund Reimbursement
42	7	86	Amends	Sec. 99F.4(24)	Gambling Socioeconomic Study Delay
42	14	87	Amends	Sec. 99F.11(3)(e)	Wagering Tax Quarterly Reimbursements
42	22	88	Adds	Sec. 2, House File 158, 2007 Iowa Acts	Lead Testing of Children
42	29	89	Amends	Sec. 175.3(1)(a)	Agricultural Development Authority
42	35	90	Amends	Sec. 175.3(7)	Agricultural Development Authority
43	8	91	Amends	Sec. 175.7(1)	Agricultural Development Authority
43	17	92	Adds	Sec. 175.8(3)	Agricultural Development Authority
43	27	93	Adds	Sec. 190A.1	Farm-to-School Program
43	32	94	Adds	Sec. 190A.2	Farm-to-School Council
44	17	95	Adds	Sec. 190A.3	Farm-to-School Council Goals
44	35	96	Adds	Sec. 190A.4	Farm-to-School Agency Cooperation
45	5	97	Adds	Sec. 214A.2B	Laboratory for Motor Fuel and Biofuels
45	16	98	Amends	Sec. 216A.121(3)	Abraham Lincoln Bicentennial Commission
47	2	99	Adds	Sec. 237A.13(3A)	Human Services Provider Payment Schedule

Page #	Line #	Bill Section	Action	Code Section	Description
47	17	100	Adds	256C.3(5)(d)	Voluntary Four-Year-Old Preschool Collaboration
47	32	101	Amends	Sec. 272.27	Teacher Pre-Service Licensure Experiences
48	26	102	Amends	Sec. 11, Senate File 277, 2007 Iowa Acts	Teacher Background Checks
49	34	103	Amends	Sec. 37, Senate File 277, 2007 Iowa Acts	Teacher Quality Funding for Area Education Agencies
51	4	104	Adds	Sec. 303.1(7)	Fee-Based Educational Programming
51	10	105	Amends	Sec. 321.20B(2)(b)	Self-Insured Financial Liability Card
51	34	106	Amends	Sec. 321.34(8)	Medal of Honor License Plates
52	26	106	Amends	Sec. 321.34(8)	Medal of Honor License Plates
52	34	107(a)	Amends	Sec. 321.34(12A)(a) and House File 749, 2007 Iowa Acts	Armed Forces License Plate Exchange
53	13	107(b)	Amends	Sec. 321.34(12A)(b) and House File 749, 2007 Iowa Acts	Armed Forces License Plate Exchange
53	22	107(c)	Amends	Sec. 321.34(12A)(c) and House File 749, 2007 Iowa Acts	Military License Plate Proof of Eligibility
53	28	107(d)	Amends	Sec. 321.34(12A)(d) and House File 749, 2007 Iowa Acts	Surviving Spouse Military License Plate
54	1	108	Amends	Sec. 321A.34(1 & 2)	Self-Insured Association as a Legal Entity
55	2	109	Amends	Sec. 388.2	City Utility Special Election
55	11	110	Amends	Sec. 388.2	Utility Property Special Election Notice
55	23	111	Amends	Sec. 422.11S(7)(a)(2)	School Tuition Organization Tax Credits
55	31	112	Amends	Sec. 423.3(89)	Construction Sales Tax Exemption
57	3	113	Amends	Sec. 452A.3(1)	Motor Vehicle Fuel Tax Schedule Extension
57	10	114	Amends	Sec. 452A.3(1A)	Extension of Motor Fuel Excise Tax
57	17	115	Adds	Sec. 455B.306(12)	Sanitary Landfill Plan Exemption
57	33	116	Amends	Sec. 463C.17	Competitive Bid Law Exceptions
58	12	117	Adds	Sec. 505.8(8)	Commissioner of Insurance Duties
58	20	118	Amends	Sec. 1, Senate File 564, 2007 Iowa Acts	Russian or European Boar Exclusion

Page #	Line #	Bill Section	Action	Code Section	Description
58	28	119	Amends	Sec. 1, Senate File 564, 2007 Iowa Acts	Use of Wild Animals at Circus Events
59	10	120	Adds	Sec. 1, Senate File 564, 2007 Iowa Acts	Russian and European Boar Definitions
59	17	121	Amends	Sec. 7, Senate File 564, 2007 Iowa Acts	Falconry License Requirements
59	23	122	Amends	Sec. 7, Senate File 564, 2007 Iowa Acts	Medical Treatment of Russian or European Boar
59	32	123	Adds	Sec. 8, Senate File 564, 2007 Iowa Acts	Registration Fee for Russian or European Boar
60	4	124	Amends	Sec. 909.3A	Community Service Minimum Wage
60	25	126	Nwthstnd	Sec. 123.183	Native Wine Gallonage Tax Exemption
64	3	132	Repeals	Sec. 5, Senate File 403, 2007 Iowa Acts	Supplemental Appropriation to Iowa Energy Independence Office
64	5	133	Repeals	Sec. 34, Senate File 403, 2007 Iowa Acts	Student-Constructed Property Approval
64	7	134	Repeals	Sec. 811.2A	Bail Requirements
64	10	135 - 206	Amends	Various	Transfer of Duties Related to Elder Group Homes, Assisted Living, and Adult Day Care to the Department of Inspections and Appeals
90	30	207	Amends	Sec. 137C.6	Hotel and Restaurant Inspections
92	12	208	Amends	Sec. 137C.9	Hotel Inspection Fee Schedule
92	33	209	Amends	Sec. 137D.2(1)	Home Food Establishment Operating Fee
93	8	210	Repeals	Sec. 137F.1(7)	Food Code by Reference to Federal Law
93	10	211	Amends	Sec. 137F.1(8)	Salvage or Distressed Food Operation
93	21	212	Amends	Sec. 137F.2	Foodborne Illness Protection Standards
94	1	213	Amends	Sec. 137F.3	Foodborne Illness Consumer Protection
95	34	214	Amends	Sec. 137F.3A	Contingent Appropriation for Restaurant Inspections
97	1	215	Amends	Sec. 137F.6	Restaurant Inspection Fees
99	23	216	Amends	Sec. 137F.10	Restaurant Inspection Violations
100	6	217	Adds	Sec. 137F.11A	Publication of Restaurant Inspection Reports
100	12	218	Amends	Sec. 196.3	Egg Handlers Fee Increase
101	12	219	Amends	Sec. 331.756(32)	Food and Hotel Sanitation Standards

Page #	Line #	Bill Section	Action	Code Section	Description
101	31	222	Amends	Sec. 20, House File 848, 2007 Iowa Acts, Sec. 39a.4(1)(c)(11 & 12)	Absentee Ballot Return
102	16	223	Amends	Sec. 25 House File 848, 2007 Iowa Acts, Sec. 53.8(2)	Absentee Ballot Return
103	9	224	Amends	Sec. 53.10	Affidavit Envelope for Absentee Voter
103	24	225	Amends	Sec. 53.17(1)(a), Sec. 27, HF 848, 2007 Iowa Acts	Absentee Ballot Delivery Requirements
104	2	226	Amends	Sec. 53.17(1)(b & c)	Time Requirement for Return of Absentee Ballots
104	15	227	Amends	Sec. 53.17(4)	Absentee Ballot Required Information
105	7	228	Repeals	Sec. 53.17(5)	Absentee Ballot Delivery Deadline
105	9	229	Amends	Sec. 53.18	Review and Correction of Absentee Ballots
106	23	230	Amends	Sec. 53.19	Procedures for Correcting Absentee Ballots
107	6	231	Amends	Sec. 53.21	Return of Absentee Ballots
107	11	232	Amends	Sec. 53.23(3)	Counting Absentee Ballots
108	2	233	Amends	Sec. 53.24	County Elections and Affidavit Envelopes
108	19	234	Amends	Sec. 53.25	Voter Ballot Rejection
109	4	235	Amends	Sec. 53.27	Return of Affidavit Envelope for Rejected Ballot
109	11	236	Amends	Sec. 53.32	Affidavit Envelope of Deceased Voter
109	21	237	Amends	Sec. 53.38	Armed Forces Affidavit Envelopes
110	1	238	Amends	Sec. 53.40	Unqualified Voter Affidavit Envelope Procedures
110	12	239	Amends	Sec. 53.44	Armed Forces Returned Envelope Specifications
110	21	240 - 262	Amends	Various	Corrective Amendments

1 1 DIVISION I
 1 2 MH/MR/DD/BI SERVICES ALLOWED
 1 3 GROWTH FUNDING -- FY 2008-2009

1 4 Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION,
 1 5 DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY ALLOWED GROWTH
 1 6 APPROPRIATION AND ALLOCATIONS -- FISCAL YEAR 2008-2009.

1 7 1. There is appropriated from the general fund of the
 1 8 state to the department of human services for the fiscal year
 1 9 beginning July 1, 2008, and ending June 30, 2009, the
 1 10 following amount, or so much thereof as is necessary, to be
 1 11 used for the purpose designated:

1 12 For distribution to counties of the county mental health,
 1 13 mental retardation, and developmental disabilities allowed
 1 14 growth factor adjustment for fiscal year 2008-2009, and for
 1 15 the brain injury services program in the department of public
 1 16 health:

1 17 \$ 64,600,002

1 18 2. The amount appropriated in this section shall be
 1 19 allocated as provided in a later enactment of the general
 1 20 assembly.

1 21 DIVISION II
 1 22 STANDING APPROPRIATIONS
 1 23 AND RELATED MATTERS

1 24 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2008-2009.

1 25 1. For the budget process applicable to the fiscal year
 1 26 beginning July 1, 2008, on or before October 1, 2007, in lieu
 1 27 of the information specified in section 8.23, subsection 1,
 1 28 unnumbered paragraph 1, and paragraph "a", all departments and
 1 29 establishments of the government shall transmit to the
 1 30 director of the department of management, on blanks to be
 1 31 furnished by the director, estimates of their expenditure
 1 32 requirements, including every proposed expenditure, for the

General Fund appropriation for FY 2009 for Mental Health Allowed Growth.

DETAIL: Analysis of this appropriation includes:

- An increase of \$8,119,862 compared to the FY 2008 appropriations from the General Fund and the Health Care Trust Fund in HF 909 (Health and Human Services Appropriations Bill).
- An increase of \$25,711,961 from the General Fund compared to the FY 2007 General Fund appropriation for Mental Health Allowed Growth.
- An increase of \$21,312,861 compared to the original FY 2008 General Fund appropriation made in HF 2797 (FY 2007 Standings Appropriations Act).

Permits the Executive Branch to continue to use the budgeting-for-results process for FY 2009. This is in lieu of the information currently required by statute. Requires all State departments and agencies to submit estimated expenditure requirements with supporting data and explanations to the Director of the Department of Management (DOM). Requires consultation with the Legislative Services Agency. Information submitted is also to include performance measures data.

1 33 ensuing fiscal year, together with supporting data and
1 34 explanations as called for by the director of the department
1 35 of management after consultation with the legislative services
2 1 agency.

2 2 2. The estimates of expenditure requirements shall be in a
2 3 form specified by the director of the department of
2 4 management, and the expenditure requirements shall include all
2 5 proposed expenditures and shall be prioritized by program or
2 6 the results to be achieved. The estimates shall be
2 7 accompanied by performance measures for evaluating the
2 8 effectiveness of the programs or results.

2 9 Sec. 3. GENERAL ASSEMBLY -- BUILDING SECURITY. Of the
2 10 appropriations made pursuant to section 2.12 for the expenses
2 11 of the general assembly and legislative agencies for the
2 12 fiscal year beginning July 1, 2007, and ending June 30, 2008,
2 13 \$775,000 shall be used for capitol building and judicial
2 14 building security.

Requires \$775,000 for expenses associated with Capitol Building and Judicial Building security to be funded within the Legislative Branch budget for FY 2008.

2 15 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.
2 16 Notwithstanding the standing appropriations in the following
2 17 designated sections for the fiscal year beginning July 1,
2 18 2007, and ending June 30, 2008, the amounts appropriated from
2 19 the general fund of the state pursuant to these sections for
2 20 the following designated purposes shall not exceed the
2 21 following amounts:

2 22 1. For instructional support state aid under section
2 23 257.20:
2 24 \$ 14,428,271

CODE: Limits the FY 2008 standing appropriation to the Department of Education for Instructional Support.

DETAIL: Maintains current level of funding. Funding is capped at the FY 1993 amount of \$14,798,227 unless the General Assembly appropriates a different amount.

2 25 2. For payment for nonpublic school transportation under
 2 26 section 285.2:
 2 27 \$ 8,604,714

CODE: Limits the FY 2008 standing appropriation to the Department of Education for nonpublic school transportation.

DETAIL: Maintains current level of funding. This is a standing unlimited appropriation that has been capped in recent years.

2 28 If total approved claims for reimbursement for nonpublic
 2 29 school pupil transportation claims exceed the amount
 2 30 appropriated in this section, the department of education
 2 31 shall prorate the amount of each claim.

Requires the Department of Education to prorate payment of claims for nonpublic school transportation reimbursement, if the claims exceed the appropriated amount.

2 32 3. For the educational excellence program under section
 2 33 294A.25, subsection 1:
 2 34 \$ 55,469,053

CODE: Limits the FY 2008 standing appropriation to the Department of Education for the Educational Excellence Program.

DETAIL: Maintains current level of funding. This is a standing limited appropriation of \$56,891,336 that has been reduced in recent years.

2 35 4. For the state's share of the cost of the peace
 3 1 officers' retirement benefits under section 411.20:
 3 2 \$ 2,745,784

CODE: Limits the FY 2008 standing appropriation for the Peace Officers' Retirement System.

DETAIL: Maintains current level of funding. Funding is capped at the FY 1993 amount of \$2,842,726.

3 3 Sec. 5. PROPERTY TAX CREDIT FUND -- PAYMENTS IN LIEU OF
 3 4 GENERAL FUND REIMBURSEMENT.

3 5 1. a. Notwithstanding section 8.57, prior to the
 3 6 appropriation and distribution to the senior living trust fund
 3 7 and the cash reserve fund of the surplus existing in the
 3 8 general fund of the state at the conclusion of the fiscal year
 3 9 beginning July 1, 2006, and ending June 30, 2007, pursuant to
 3 10 section 8.57, subsections 1 and 2, of that surplus,
 3 11 \$131,868,964 is appropriated to the property tax credit fund

CODE: General Fund appropriation of \$131,868,964 to the Property Tax Credit Fund established in the Office of the Treasurer from the FY 2007 General Fund surplus, prior to the appropriation and distribution to the Senior Living Trust Fund and the Cash Reserve Fund.

DETAIL: In FY 2005, funding for these property tax credits was shifted from the General Fund to the Cash Reserve Fund, and the amounts continue to be capped as in preceding years. In FY 2006,

3 12 which shall be created in the office of the treasurer of state
 3 13 to be used for the purposes of this section.
 3 14 b. Notwithstanding any provision in section 8.57 to the
 3 15 contrary in determining the amount of the appropriation to the
 3 16 senior living trust fund pursuant to section 8.57, subsection
 3 17 2, paragraph "a", the surplus for the fiscal year beginning
 3 18 July 1, 2006, shall not include the amount appropriated to the
 3 19 property tax credit fund pursuant to paragraph "a" of this
 3 20 subsection.

the Property Tax Credit Fund was created and funded from the FY 2005 General Fund surplus prior to the appropriation to the Cash Reserve Fund. Funding was maintained at the FY 2005 levels. The practice of funding the Property Tax Credit Fund from the previous year's General Fund surplus was continued in FY 2007 while maintaining the same funding levels, except for an increase to the Military Service Tax Credit to accommodate an increase in exemptions. For FY 2008, the property tax credits remain capped, but funding comes from a combination of an appropriation from the FY 2007 General Fund surplus and an FY 2008 General Fund appropriation.

3 21 c. There is appropriated from the general fund of the
 3 22 state to the property tax credit fund created in paragraph "a"
 3 23 for the fiscal year beginning July 1, 2007, and ending June
 3 24 30, 2008, the sum of \$28,000,000.

General Fund appropriation of \$28,000,000 to the Property Tax Credit Fund.

DETAIL: This appropriation partially returns funding for the property tax credits to the General Fund and reduces the reliance on General Fund year-end surpluses. If the tax credits continue to be capped at current levels, approximately \$160,000,000 will eventually be shifted back to the General Fund.

3 25 2. Notwithstanding the amount of the standing
 3 26 appropriation from the general fund of the state in the
 3 27 following designated sections and notwithstanding any
 3 28 conflicting provisions or voting requirements of section 8.56,
 3 29 there is appropriated from the property tax credit fund in
 3 30 lieu of the appropriations in the following designated
 3 31 sections for the fiscal year beginning July 1, 2007, and
 3 32 ending June 30, 2008, the following amounts for the following
 3 33 designated purposes:

CODE: Permits the following appropriations from the Property Tax Credit Fund.

DETAIL: This notwithstanding current law that appropriates funding for the property tax credits from the General Fund.

3 34 a. For reimbursement for the homestead property tax credit
 3 35 under section 425.1:

CODE: Property Tax Credit Fund appropriation for the Homestead Property Tax Credit.

4 1 \$ 99,254,781

DETAIL: This is a decrease of \$3,690,598 compared to estimated FY 2007. The appropriation is \$34,358,6211 less than the projected

amount of the FY 2008 credit claims.

4 2 b. For reimbursement for the agricultural land and family
4 3 farm tax credits under sections 425A.1 and 426.1:
4 4 \$ 34,610,183

CODE: Property Tax Credit Fund appropriation for the Agricultural Land and Family Farm Tax Credits.

DETAIL: Maintains current level of funding. The appropriation is \$4,489,817 less than the projected amount of the FY 2008 credit claims.

4 5 c. For reimbursement for the military service tax credit
4 6 under section 426A.1A:
4 7 \$ 2,800,000

CODE: Property Tax Credit Fund appropriation for the Military Service Tax Credit.

DETAIL: This is an increase of \$26,598 and funds the projected amount of the FY 2008 credit claims.

4 8 d. For implementing the elderly and disabled tax credit
4 9 and reimbursement pursuant to sections 425.16 through 425.40:
4 10 \$ 23,204,000

CODE: Property Tax Credit Fund appropriation for the Elderly and Disabled Tax Credit.

DETAIL: This is an increase of \$3,664,000 and funds the projected amount of the FY 2008 credit claims.

4 11 If the director of revenue determines that the amount of
4 12 claims for credit for property taxes due pursuant to
4 13 paragraphs "a", "b", "c", and "d" plus the amount of claims
4 14 for reimbursement for rent constituting property taxes paid
4 15 which are to be paid during the fiscal year may exceed the
4 16 total amount appropriated, the director shall estimate the
4 17 percentage of the credits and reimbursements which will be
4 18 funded by the appropriation. The county treasurer shall
4 19 notify the director of the amount of property tax credits
4 20 claimed by June 8, 2007. The director shall estimate the
4 21 percentage of the property tax credits and rent reimbursement
4 22 claims that will be funded by the appropriation and notify the
4 23 county treasurer of the percentage estimate by June 15, 2007.
4 24 The estimated percentage shall be used in computing for each

Requires the Director of the Department of Revenue to estimate the claims for property tax credits and reimbursement for rent constituting property taxes, using information the county treasurers are required to file by June 8, 2007, and identify the proration percentage if the claims are projected to exceed the appropriations. The Director is to notify the county treasurers of the proration percentage by June 15, 2007. If the Department's estimate is inadequate to pay the claims for rent reimbursement, the remaining claims are to receive priority and be paid in FY 2009. If there are excess funds after claims are paid, the remaining funds are carried forward to the next fiscal year.

4 25 claim the amount of property tax credit and reimbursement for
 4 26 rent constituting property taxes paid for that fiscal year.
 4 27 If the director overestimates the percentage of funding,
 4 28 claims for reimbursement for rent constituting property taxes
 4 29 paid shall be paid until they can no longer be paid at the
 4 30 estimated percentage of funding. Rent reimbursement claims
 4 31 filed after that point in time shall receive priority and
 4 32 shall be paid in the following fiscal year.

4 33 3. Notwithstanding any other provision, if the
 4 34 Eighty-second General Assembly, 2007 Session, enacts
 4 35 legislation that also provides for the appropriation of the
 5 1 surplus or any part of the surplus existing in the general
 5 2 fund of the state at the conclusion of the fiscal year
 5 3 beginning July 1, 2006, and ending June 30, 2007, the moneys
 5 4 appropriated from such surplus pursuant to subsection 1 shall
 5 5 have priority over all other such appropriations.

CODE: Requires the appropriation to the Property Tax Credit Fund to have priority over any other appropriations made from the FY 2007 General Fund surplus.

5 6 Sec. 6. UNDERGROUND STORAGE TANK FUND. Notwithstanding
 5 7 section 455G.3, subsection 1, there is transferred from the
 5 8 Iowa comprehensive petroleum underground storage tank fund
 5 9 created in section 455G.3, subsection 1, to the general fund
 5 10 of the state during the fiscal year beginning July 1, 2007,
 5 11 and ending June 30, 2008, the following amount:
 5 12 \$ 3,000,000

CODE: Transfers \$3,000,000 from the Iowa Comprehensive Petroleum Underground Storage Tank Fund to the State General Fund in FY 2008.

5 13 Sec. 7. CASH RESERVE APPROPRIATION FOR FY 2007-2008. For
 5 14 the fiscal year beginning July 1, 2007, and ending June 30,
 5 15 2008, the appropriation to the cash reserve fund provided in
 5 16 section 8.57, subsection 1, paragraph "a", shall not be made.

CODE: Notwithstands the requirement for FY 2008 that a General Fund appropriation to the Cash Reserve Fund be made in the event the Cash Reserve Fund does not maintain a balance equal to 7.50% of the FY 2008 adjusted revenue estimate.

DETAIL: Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, an appropriation from the General Fund equal to 1.00% of the adjusted revenue estimate is required. If the Cash Reserve Fund balance is more than 6.50% and less than 7.50% of the adjusted revenue estimate, the appropriation is

	<p>the amount required to bring the Cash Reserve Fund balance to 7.50% of the adjusted revenue estimate. The balance in the Cash Reserve Fund is estimated to be \$444,300,000 for FY 2008, which is 7.50% of the FY 2008 adjusted revenue estimate.</p>
<p>5 17 Sec. 8. Section 8.57A, subsection 4, Code 2007, is amended 5 18 to read as follows: 5 19 4. There is appropriated from the rebuild Iowa 5 20 infrastructure fund for the fiscal year beginning July 1, 2000 5 21 <u>2007</u>, and for each fiscal year thereafter, the sum of 5 22 thirty-five <u>forty</u> million dollars to the environment first 5 23 fund, notwithstanding section 8.57, subsection 6, paragraph 5 24 "c".</p>	<p>CODE: Increases the Environment First Fund standing appropriation from the Rebuild Iowa Infrastructure Fund (RIIF) from \$35,000,000 to \$40,000,000.</p>
<p>5 25 Sec. 9. Section 257.35, subsection 4, Code 2007, is 5 26 amended to read as follows: 5 27 4. Notwithstanding subsection 1, and in addition to the 5 28 reduction applicable pursuant to subsection 2, the state aid 5 29 for area education agencies and the portion of the combined 5 30 district cost calculated for these agencies for the fiscal 5 31 year beginning July 1, 2006 <u>2007</u>, shall be reduced by the 5 32 department of management by eight <u>five</u> million <u>two hundred</u> 5 33 <u>fifty thousand</u> dollars. The reduction for each area education 5 34 agency shall be prorated based on the reduction that the 5 35 agency received in the fiscal year beginning July 1, 2003.</p>	<p>CODE: Continues the additional reduction in Area Education Agency (AEA) funding from previous years.</p> <p>DETAIL: The FY 2008 reduction of \$5,250,000 is \$2,750,000 less than the FY 2007 reduction. This reduction is in addition to the previously existing statutory \$7,500,000 reduction in Section 257.35 (2), <u>Code of Iowa</u>. The reduction for each AEA will be pro-rated based on the FY 2004 reductions.</p>
<p>6 1 Sec. 10. AREA EDUCATION AGENCY PAYMENTS. It is the intent 6 2 of the general assembly that for the fiscal year beginning 6 3 July 1, 2008, any reduction in state aid to area education 6 4 agencies and the combined district cost calculated for those 6 5 agencies over the reduction applicable pursuant to section 6 6 257.35, subsection 2, shall not exceed \$2.5 million and that 6 7 for the fiscal year beginning July 1, 2009, there shall be no 6 8 such additional reduction.</p>	<p>Specifies the intent of the General Assembly that any additional reduction for Area Education Agency (AEA) funding in FY 2009 will not exceed \$2,500,000, and in FY 2010 there will be no additional AEA funding reduction. The \$7,500,000 reduction in Section 257.35 (2), <u>Code of Iowa</u>, would remain in place.</p>

6 9 Sec. 11. EFFECTIVE DATE. The section of this division of
 6 10 this Act creating the property tax credit fund, being deemed
 6 11 of immediate importance, takes effect upon enactment.

Section 5 relating to the Property Tax Credit Fund takes effect on enactment.

6 12 DIVISION III
 6 13 SALARIES, COMPENSATION, AND RELATED MATTERS

6 14 Sec. 12. STATE COURTS -- JUSTICES, JUDGES, AND
 6 15 MAGISTRATES.

Sets the FY 2008 salary rates for judicial positions.

6 16 1. The salary rates specified in subsection 2 are for the
 6 17 fiscal year beginning July 1, 2007, effective for the pay
 6 18 period beginning June 29, 2007, and for subsequent fiscal
 6 19 years until otherwise provided by the general assembly. The
 6 20 salaries provided for in this section shall be paid from funds
 6 21 appropriated to the judicial branch from the salary adjustment
 6 22 fund or if the appropriation is not sufficient, from funds
 6 23 appropriated to the judicial branch pursuant to any Act of the
 6 24 general assembly.

DETAIL: Provides salary increases for justices, judges, and magistrates of approximately 2.00%. The salary increases are effective June 29, 2007. Total cost of these salary increases is estimated at \$739,742 (2.45%) for FY 2008.

6 25 2. The following annual salary rates shall be paid to the
 6 26 persons holding the judicial positions indicated during the
 6 27 fiscal year beginning July 1, 2007, effective with the pay
 6 28 period beginning June 29, 2007, and for subsequent pay
 6 29 periods.

6 30 a. Chief justice of the supreme court:
 6 31 \$ 153,109

6 32 b. Each justice of the supreme court:
 6 33 \$ 146,890

6 34 c. Chief judge of the court of appeals:
 6 35 \$ 141,731

7 1 d. Each associate judge of the court of appeals:
 7 2 \$ 136,739

7 3 e. Each chief judge of a judicial district:
 7 4 \$ 133,619

7 5 f. Each district judge except the chief judge of a
 7 6 judicial district:
 7 7 \$ 128,544

7 8 g. Each district associate judge:
 7 9 \$ 113,214
 7 10 h. Each associate juvenile judge:
 7 11 \$ 113,214
 7 12 i. Each associate probate judge:
 7 13 \$ 113,214
 7 14 j. Each judicial magistrate:
 7 15 \$ 34,882
 7 16 k. Each senior judge:
 7 17 \$ 7,238
 7 18 3. Persons receiving the salary rates established under
 7 19 this section shall not receive any additional salary
 7 20 adjustments provided by this division of this Act.

7 21 Sec. 13. APPOINTED STATE OFFICERS. The governor shall
 7 22 establish a salary for appointed nonelected persons in the
 7 23 executive branch of state government holding a position
 7 24 enumerated in the section of this division of this Act that
 7 25 addresses the salary ranges of state officers within the range
 7 26 provided, by considering, among other items, the experience of
 7 27 the individual in the position, changes in the duties of the
 7 28 position, the incumbent's performance of assigned duties, and
 7 29 subordinates' salaries. However, the attorney general shall
 7 30 establish the salary for the consumer advocate, the chief
 7 31 justice of the supreme court shall establish the salary for
 7 32 the state court administrator, the ethics and campaign
 7 33 disclosure board shall establish the salary of the executive
 7 34 director, the Iowa public broadcasting board shall establish
 7 35 the salary of the administrator of the public broadcasting
 8 1 division of the department of education, and the state fair
 8 2 board shall establish the salary of the secretary of the state
 8 3 fair board, each within the salary range provided in the
 8 4 section of this division of this Act that addresses the salary
 8 5 ranges of state officers.
 8 6 The governor, in establishing salaries as provided in the
 8 7 section of this division of this Act that addresses the salary
 8 8 ranges of state officers, shall take into consideration other

Requires the Governor to set the salary for most nonelected State officials within the ranges authorized in Section 14. The salaries for the Consumer Advocate, State Court Administrator, Administrator of the Public Broadcasting Division of the Department of Education, Director of the Ethics and Campaign Disclosure Board, and Secretary of the State Fair Board are set by the appropriate directors or boards. Requires the Governor to set the salaries of the Chairperson and the two members of the Public Employment Relations Board (PERB).

DETAIL: These salary range adjustments will have an unknown fiscal impact for FY 2008. The cost will be determined by placement in the new salary ranges.

8 9 employee benefits which may be provided for an individual
 8 10 including but not limited to housing.

8 11 A person whose salary is established pursuant to the
 8 12 section of this division of this Act that addresses the salary
 8 13 ranges of state officers and who is a full-time, year-round
 8 14 employee of the state shall not receive any other remuneration
 8 15 from the state or from any other source for the performance of
 8 16 that person's duties unless the additional remuneration is
 8 17 first approved by the governor or authorized by law. However,
 8 18 this provision does not exclude the reimbursement for
 8 19 necessary travel and expenses incurred in the performance of
 8 20 duties or fringe benefits normally provided to employees of
 8 21 the state.

Prohibits appointed nonelected State officials from receiving other State remuneration unless authorized by the Governor or by law. This does not apply to travel or expense reimbursements or fringe benefits.

8 22 Sec. 14. STATE OFFICERS -- SALARY RANGE. The following
 8 23 annual salary ranges are effective for the positions specified
 8 24 in this section for the fiscal year beginning July 1, 2007,
 8 25 and for subsequent fiscal years until otherwise provided by
 8 26 the general assembly. The governor or other person designated
 8 27 in the section of this division of this Act relating to
 8 28 appointed state officers shall determine the salary to be paid
 8 29 to the person indicated at a rate within this salary range
 8 30 from funds appropriated by the general assembly for that
 8 31 purpose.

Provides that salary ranges for appointed nonelected officials are effective for FY 2008.

8 32 1. The following are salary ranges for appointed state
 8 33 officers for the fiscal year beginning July 1, 2007, effective
 8 34 with the pay period beginning June 29, 2007:

8 35 SALARY RANGE	<u>Minimum</u>	<u>Maximum</u>
9 1 a. Range 1	\$ 9,069	\$ 35,464
9 2 b. Range 2	\$46,758	\$ 71,552
9 3 c. Range 3	\$53,768	\$ 82,285
9 4 d. Range 4	\$61,838	\$ 94,619
9 5 e. Range 5	\$71,115	\$108,805

Sets the salary rates and ranges for State officials and specifies that the ranges are effective with the pay period beginning June 29, 2007.

DETAIL: The maximum salary for any State official is increased by \$4,372 (3.01%).

The following changes have been made to the salary range positions:

- The Director of the Office of Energy Independence has been added to range 6.

PG LN	Senate File 601	Explanation
9 6	f. Range 6 \$81,786 \$125,133	<ul style="list-style-type: none"> The Director of the Department of Corrections is moved from range 6 to range 7.
9 7	g. Range 7 \$97,906 \$149,802	
9 8	2. The following are range 1 positions: there are no	Establishes no State officials in salary range 1 (\$9,069 - \$35,464).
9 9	range 1 positions for the fiscal year beginning July 1, 2007.	DETAIL: This is no change.
9 10	3. The following are range 2 positions: administrator of	Establishes the following State officials in salary range 2 (\$46,758 - \$71,552).
9 11	the arts division of the department of cultural affairs,	
9 12	administrators of the division of persons with disabilities,	
9 13	the division on the status of women, the division on the	DETAIL: The positions are as follows:
9 14	status of lowans of Asian and Pacific Islander heritage, the	
9 15	division on the status of African-Americans, the division of	<ul style="list-style-type: none"> Administrator of the Arts Division of the Department of Cultural Affairs.
9 16	deaf services, and the division of Latino affairs of the	<ul style="list-style-type: none"> Administrator of the Division of Persons with Disabilities of the Department of Human Rights.
9 17	department of human rights.	<ul style="list-style-type: none"> Administrator of the Division on the Status of Women of the Department of Human Rights.
		<ul style="list-style-type: none"> Administrator of the Division on the Status of Asian and Pacific Islander Heritage of the Department of Human Rights.
		<ul style="list-style-type: none"> Administrator of the Division on the Status of African-Americans of the Department of Human Rights.
		<ul style="list-style-type: none"> Administrator of the Division of Deaf Services of the Department of Human Rights.
		<ul style="list-style-type: none"> Administrator of the Division of Latino Affairs of the Department of Human Rights.
9 18	4. The following are range 3 positions: administrator of	Establishes the following State officials in salary range 3 (\$53,768 - \$82,285).
9 19	the division of criminal and juvenile justice planning of the	
9 20	department of human rights, administrator of the division of	DETAIL: The positions are as follows:
9 21	community action agencies of the department of human rights,	
9 22	executive director of the department of veterans affairs, and	<ul style="list-style-type: none"> Administrator of the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights.
9 23	chairperson and members of the employment appeal board of the	<ul style="list-style-type: none"> Administrator of the Division of Community Action Agencies of the Department of Human Rights.
9 24	department of inspections and appeals.	

9 25 5. The following are range 4 positions: director of the
 9 26 department of human rights, director of the Iowa state civil
 9 27 rights commission, executive director of the college student
 9 28 aid commission, director of the department for the blind,
 9 29 executive director of the ethics and campaign disclosure
 9 30 board, members of the public employment relations board, and
 9 31 chairperson, vice chairperson, and members of the board of
 9 32 parole.

- Executive Director of the Department of Veterans Affairs.
- Chairperson and two members of the Employment Appeal Board of the Department of Inspections and Appeals.

Establishes the following State officials in salary range 4 (\$61,838 - \$94,619).

DETAIL: The positions are as follows:

- Director of the Department of Human Rights.
- Director of the Iowa State Civil Rights Commission.
- Executive Director of the College Student Aid Commission.
- Director of the Department for the Blind.
- Executive Director of the Ethics and Campaign Disclosure Board.
- Three members of the Public Employment Relations Board.
- Board of Parole - Chairperson, Vice Chairperson, and three members.

9 33 6. The following are range 5 positions: administrator of
 9 34 the division of homeland security and emergency management of
 9 35 the department of public defense, state public defender, drug
 10 1 policy coordinator, labor commissioner, workers' compensation
 10 2 commissioner, director of the department of cultural affairs,
 10 3 director of the department of elder affairs, director of the
 10 4 law enforcement academy, and administrator of the historical
 10 5 division of the department of cultural affairs.

Establishes the following State officials in salary range 5 (\$71,115 - \$108,805).

DETAIL: The positions are as follows:

- Administrator of the Division of Homeland Security and Emergency Management of the Department of Public Defense. Previously this position was range 3.
- State Public Defender.
- Drug Policy Coordinator.
- Labor Commissioner (Workforce Development).
- Workers' Compensation Commissioner (Workforce Development).
- Director of the Department of Cultural Affairs.
- Director of the Department of Elder Affairs.
- Director of the Iowa Law Enforcement Academy.
- Administrator of the Historical Division of the Department of Cultural Affairs.

10 6 7. The following are range 6 positions: director of the
 10 7 Iowa energy independence office, superintendent of banking,
 10 8 superintendent of credit unions, administrator of the
 10 9 alcoholic beverages division of the department of commerce,
 10 10 director of the department of inspections and appeals,
 10 11 commandant of the Iowa veterans home, commissioner of public
 10 12 safety, commissioner of insurance, executive director of the
 10 13 Iowa finance authority, director of the department of natural
 10 14 resources, consumer advocate, and chairperson of the utilities
 10 15 board. The other members of the utilities board shall receive
 10 16 an annual salary within a range of not less than 90 percent
 10 17 but not more than 95 percent of the annual salary of the
 10 18 chairperson of the utilities board.

Establishes the following State officials in salary range 6 (\$81,786 - \$125,133).

DETAIL: The Director of the Office of Energy Independence has been added to range 6. The positions include:

- Director of the Office of Energy Independence.
- Superintendent of Banking (Department of Commerce).
- Superintendent of Credit Unions (Department of Commerce).
- Administrator of the Alcoholic Beverages Division (Department of Commerce).
- Director of the Department of Inspections and Appeals.
- Commandant of the Veterans Home.
- Commissioner of the Department of Public Safety.
- Commissioner of Insurance (Department of Commerce).
- Executive Director of the Iowa Finance Authority.
- Director of the Department of Natural Resources.
- Consumer Advocate.
- Chairperson of the Utilities Board (Department of Commerce).
- Two members of the Utilities Board receive not less than 90.00% and not more than 95.00% of the annual salary of the Chairperson.

10 19 8. The following are range 7 positions: administrator of
 10 20 the public broadcasting division of the department of
 10 21 education, director of the department of corrections, director
 10 22 of the department of education, director of human services,
 10 23 director of the department of economic development, executive
 10 24 director of the Iowa telecommunications and technology
 10 25 commission, executive director of the state board of regents,
 10 26 director of transportation, director of the department of
 10 27 workforce development, director of revenue, director of public
 10 28 health, state court administrator, secretary of the Iowa state
 10 29 fair board, director of the department of management, and
 10 30 director of the department of administrative services.

Establishes the following State officials in salary range 7 (\$97,906 - \$149,802).

DETAIL: The Director of the Department of Corrections is moved from range 6 to this range. The positions include:

- Administrator of the Public Broadcasting Division (Department of Education).
- Director of the Department of Corrections.
- Director of the Department of Education.
- Director of the Department of Human Services.
- Director of the Department of Economic Development.
- Executive Director of the Iowa Telecommunications and Technology Commission (ICN).
- Executive Director of the State Board of Regents.

10 31 Sec. 15. COLLECTIVE BARGAINING AGREEMENTS FUNDED --
 10 32 GENERAL FUND. There is appropriated from the general fund of
 10 33 the state to the salary adjustment fund for distribution by
 10 34 the department of management to the various state departments,
 10 35 boards, commissions, councils, and agencies, including the
 11 1 state board of regents and the judicial branch, for the fiscal
 11 2 year beginning July 1, 2007, and ending June 30, 2008, the
 11 3 amount of \$106,848,094, or so much thereof as may be
 11 4 necessary, to fully fund annual pay adjustments, expense
 11 5 reimbursements, and related benefits implemented pursuant to
 11 6 the following:
 11 7 1. The collective bargaining agreement negotiated pursuant
 11 8 to chapter 20 for employees in the blue collar bargaining
 11 9 unit.
 11 10 2. The collective bargaining agreement negotiated pursuant
 11 11 to chapter 20 for employees in the public safety bargaining
 11 12 unit.
 11 13 3. The collective bargaining agreement negotiated pursuant
 11 14 to chapter 20 for employees in the security bargaining unit.
 11 15 4. The collective bargaining agreement negotiated pursuant
 11 16 to chapter 20 for employees in the technical bargaining unit.
 11 17 5. The collective bargaining agreement negotiated pursuant
 11 18 to chapter 20 for employees in the professional fiscal and
 11 19 staff bargaining unit.
 11 20 6. The collective bargaining agreement negotiated pursuant
 11 21 to chapter 20 for employees in the clerical bargaining unit.
 11 22 7. The collective bargaining agreement negotiated pursuant

- Director of the Department of Transportation.
- Director of the Department of Workforce Development.
- Director of the Department of Revenue.
- Director of the Department of Public Health.
- State Court Administrator.
- Secretary of the State Fair Board.
- Director of the Department of Management.
- Director of the Department of Administrative Services.

General Fund appropriation of \$106,848,094 to the Salary Adjustment Fund for FY 2008 to be distributed by the Department of Management (DOM) to the various State departments, boards, commissions, councils, and agencies, to pay salary increases negotiated by the bargaining units as listed, with an allocation of \$6,771,248 for Judicial Branch employees.

DETAIL: The appropriation funds the collective bargaining agreements for contract-covered employees in all collective bargaining units. These include:

American Federation of State, County, and Municipal Employees (AFSCME - Central and Community Based Corrections (CBCs)):

- 3.00% across-the-board pay increase on June 29, 2007.
- Step increases of 4.50% for eligible employees during FY 2008.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Iowa United Professionals (IUP) - Social Services and Science:

- Adds 1.45% to the pay-plan maximums before the across-the-board increase.
- 1.00% across-the-board pay increase on June 29, 2007.
- Step increases of 4.50% for eligible employees during FY 2008.

11 23 to chapter 20 for employees in the professional social
 11 24 services bargaining unit.
 11 25 8. The collective bargaining agreement negotiated pursuant
 11 26 to chapter 20 for employees in the community-based corrections
 11 27 bargaining unit.
 11 28 9. The collective bargaining agreements negotiated
 11 29 pursuant to chapter 20 for employees in the judicial branch of
 11 30 government bargaining units.
 11 31 10. The collective bargaining agreement negotiated
 11 32 pursuant to chapter 20 for employees in the patient care
 11 33 bargaining unit.
 11 34 11. The collective bargaining agreement negotiated
 11 35 pursuant to chapter 20 for employees in the science bargaining
 12 1 unit.
 12 2 12. The collective bargaining agreement negotiated
 12 3 pursuant to chapter 20 for employees in the university of
 12 4 northern Iowa faculty bargaining unit.
 12 5 13. The collective bargaining agreement negotiated
 12 6 pursuant to chapter 20 for employees in the state university
 12 7 of Iowa graduate student bargaining unit.
 12 8 14. The collective bargaining agreement negotiated
 12 9 pursuant to chapter 20 for employees in the state university
 12 10 of Iowa hospital and clinics tertiary health care bargaining
 12 11 unit.
 12 12 15. The annual pay adjustments, related benefits, and
 12 13 expense reimbursements referred to in the sections of this
 12 14 division of this Act addressing noncontract state and board of
 12 15 regents employees who are not covered by a collective
 12 16 bargaining agreement.
 12 17 Of the amount appropriated in this section, \$6,771,248
 12 18 shall be allocated to the judicial branch for the purposes of
 12 19 funding annual pay adjustments, expense reimbursements, and
 12 20 related benefits implemented for judicial branch employees.

- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

State Police Officer's Council (SPOC):

- Adds 6.50% to the pay-plan maximums.
- 2.00% across-the-board pay increase on June 29, 2007.
- Continuation of 3.50% merit step increases for employees that are not at the top step of the pay range.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Judicial Public, Professional, and Maintenance Employees (PPME):

- Step increases of 4.50% for eligible employees during FY 2008.
- 2.00% across-the-board pay increase on June 29, 2007.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Judicial AFSCME:

- Step increases of 4.50% for eligible employees during FY 2008.
- 2.00% across-the-board pay increase on June 29, 2007.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

12 21 Sec. 16. NONCONTRACT STATE EMPLOYEES -- GENERAL.

Provides noncontract State employees, excluding Judicial noncontract

12 22 1. a. For the fiscal year beginning July 1, 2007, the
 12 23 maximum and minimum salary levels of all pay plans provided
 12 24 for in section 8A.413, subsection 2, as they exist for the
 12 25 fiscal year ending June 30, 2007, shall be increased by 3
 12 26 percent for the pay period beginning June 29, 2007, and any
 12 27 additional changes in the pay plans shall be approved by the
 12 28 governor.

12 29 b. For the fiscal year beginning July 1, 2007, employees
 12 30 may receive a step increase or the equivalent of a step
 12 31 increase.

12 32 c. Notwithstanding the increase in paragraph "a",
 12 33 noncontract judicial branch employees shall receive increases
 12 34 similar to those employees covered by collective bargaining
 12 35 agreements negotiated by the judicial branch.

13 1 2. The pay plans for state employees who are exempt from
 13 2 chapter 8A, subchapter IV, and who are included in the
 13 3 department of administrative service's centralized payroll
 13 4 system shall be increased in the same manner as provided in
 13 5 subsection 1, and any additional changes in any executive
 13 6 branch pay plans shall be approved by the governor.

13 7 3. This section does not apply to members of the general
 13 8 assembly, board members, commission members, salaries of
 13 9 persons set by the general assembly pursuant to this division
 13 10 of this Act or set by the governor, or other persons
 13 11 designated in the section of this division of this Act
 13 12 addressing appointed state officers, employees designated
 13 13 under section 8A.412, subsection 5, and employees covered by
 13 14 11 IAC 53.6(3).

13 15 4. The pay plans for the bargaining eligible employees of
 13 16 the state shall be increased in the same manner as provided in
 13 17 subsection 1, and any additional changes in such executive
 13 18 branch pay plans shall be approved by the governor. As used
 13 19 in this section, "bargaining eligible employee" means an
 13 20 employee who is eligible to organize under chapter 20, but has
 13 21 not done so.

employees, with an increase of 3.00% on June 29, 2007, and continuation of merit step increases for employees that are not at the top of the pay range.

Specifies that noncontract State employee increases do not apply to:

- Members of the General Assembly.
- Board or commission members.
- Salaries set by the General Assembly.
- Salaries set by the Governor.
- Employees under Section 8A.412(5), Code of Iowa, (presidents, deans, directors, teachers, professional and scientific personnel, and student employees of the Board of Regents).
- Employees of the Board of Regents (except Board Office employees).
- Employees that exceed the pay for the top of the range.

DETAIL: The appropriation in this Section providing funding for collective bargaining agreements provides funds for noncontract-covered employees including:

Judicial Exempt:

- Step increases of 4.50% for eligible employees during FY 2008.
- 2.00% across-the-board pay increase on June 29, 2007.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

Non-Contract:

- Step increases of 4.50% for eligible employees during FY 2008.
- 3.00% across-the-board pay increase on June 29, 2007.
- The State matches 50.00% of an employee's contribution to the Deferred Compensation Program up to a maximum State share of \$75 per month (\$900 per year) effective July 1, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

13 22 5. The policies for implementation of this section shall
13 23 be approved by the governor.

Requires the Governor to approve the policies for implementation of this Section.

13 24 Sec. 17. STATE EMPLOYEES -- STATE BOARD OF REGENTS. Funds
13 25 from the appropriation made from the general fund of the state
13 26 in the section of this division of this Act providing for
13 27 funding of collective bargaining agreements shall be allocated
13 28 to the state board of regents for the purposes of providing
13 29 increases for state board of regents employees covered by such
13 30 section of this division of this Act and for state board of
13 31 regents employees not covered by a collective bargaining
13 32 agreement as follows:

Allocates a portion of the \$106,848,094 appropriated in Section 15 to the Board of Regents for contract and noncontract employee salary increases.

DETAIL: Board of Regents merit system employees receive an increase comparable to other contract-covered employees.

AFSCME Regents

- 13 33 1. For regents merit system employees and merit
- 13 34 supervisory employees to fund for the fiscal year increases
- 13 35 comparable to those provided for similar contract-covered
- 14 1 employees in this division of this Act.
- 14 2 2. For faculty members and professional and scientific
- 14 3 employees to fund for the fiscal year percentage increases
- 14 4 comparable to those provided for contract-covered employees in
- 14 5 the university of northern Iowa faculty bargaining unit.

- Step increases of 4.50% for eligible employees during FY 2008.
- 3.00% across-the-board pay increase on June 29, 2007.
- Increases the covered wage for Long-Term Disability by \$10,000 to a covered total wage of \$60,000.

FISCAL IMPACT: The identified need for FY 2008 salary increases for Board of Regents employees is \$40,978,221.

14 6 Sec. 18. APPROPRIATIONS FROM ROAD FUNDS.

14 7 1. There is appropriated from the road use tax fund to the
14 8 salary adjustment fund for the fiscal year beginning July 1,
14 9 2007, and ending June 30, 2008, the following amount, or so
14 10 much thereof as may be necessary, to be used for the purpose
14 11 designated:

Road Use Tax Fund appropriation to the Salary Adjustment Fund.

14 12 To supplement other funds appropriated by the general
14 13 assembly:

DETAIL: This is an increase of \$878,119 compared to the estimated FY 2007 appropriation.

14 14 \$ 2,294,814

14 15 2. There is appropriated from the primary road fund to the
 14 16 salary adjustment fund, for the fiscal year beginning July 1,
 14 17 2007, and ending June 30, 2008, the following amount, or so
 14 18 much thereof as may be necessary, to be used for the purpose
 14 19 designated:
 14 20 To supplement other funds appropriated by the general
 14 21 assembly:
 14 22 \$ 11,788,266

Primary Road Fund appropriation to the Salary Adjustment Fund.

 DETAIL: This is an increase of \$2,194,903 compared to the
 estimated FY 2007 appropriation.

14 23 3. Except as otherwise provided in this division of this
 14 24 Act, the amounts appropriated in subsections 1 and 2 shall be
 14 25 used to fund the annual pay adjustments, expense
 14 26 reimbursements, and related benefits for public employees as
 14 27 provided in this division of this Act.

Requires appropriations from the Road Use Tax Fund and the
 Primary Road Fund to be used as provided in this Bill.

14 28 Sec. 19. SPECIAL FUNDS -- AUTHORIZATION. To departmental
 14 29 revolving, trust, or special funds, except for the primary
 14 30 road fund or the road use tax fund, for which the general
 14 31 assembly has established an operating budget, a supplemental
 14 32 expenditure authorization is provided, unless otherwise
 14 33 provided, in an amount necessary to fund salary adjustments as
 14 34 otherwise provided in this division of this Act.

Provides supplemental expenditure authorization for revolving trust
 funds or other special funds, except the Road Use Tax Fund and the
 Primary Road Fund, to be used to fund salary adjustments.

14 35 Sec. 20. GENERAL FUND SALARY MONEYS. Funds appropriated
 15 1 from the general fund of the state for distribution from the
 15 2 salary adjustment fund in the section of this division of this
 15 3 Act providing for funding of collective bargaining agreements
 15 4 relate only to salaries supported from general fund
 15 5 appropriations of the state. Funds appropriated from the
 15 6 general fund of the state for employees of the state board of
 15 7 regents relate only to salaries supported from general fund
 15 8 appropriations of the state and shall exclude general
 15 9 university indirect costs and general university federal
 15 10 funds.

Requires that the General Fund appropriation made in this Bill be
 used only to support salaries funded from the General Fund.

15 11 Sec. 21. FEDERAL FUNDS APPROPRIATED. All federal grants
 15 12 to and the federal receipts of the agencies affected by this
 15 13 division of this Act which are received and may be expended
 15 14 for purposes of this division of this Act are appropriated for
 15 15 those purposes and as set forth in the federal grants or
 15 16 receipts.

Requires eligible federal funds received to be expended for salary adjustments where appropriate.

15 17 Sec. 22. STATE TROOPER MEAL ALLOWANCE. The sworn peace
 15 18 officers in the department of public safety who are not
 15 19 covered by a collective bargaining agreement negotiated
 15 20 pursuant to chapter 20 shall receive the same per diem meal
 15 21 allowance as the sworn peace officers in the department of
 15 22 public safety who are covered by a collective bargaining
 15 23 agreement negotiated pursuant to chapter 20.

Permits sworn peace officers in the Department of Public Safety, not covered by a collective bargaining agreement, to receive the same per diem meal allowance as covered sworn peace officers.

15 24 Sec. 23. STATE POLICE OFFICER COUNCIL BARGAINING UNIT --
 15 25 OVERTIME. Of the funds appropriated from the general fund of
 15 26 the state in the section of this division of this Act
 15 27 providing for funding of collective bargaining agreements, the
 15 28 following amount, or so much thereof as is necessary, shall be
 15 29 allocated to the department of public safety, division of
 15 30 state patrol, to be used for the purpose designated:
 15 31 To provide for expenditures related to the payment of
 15 32 overtime for uniformed peace officers covered by a collective
 15 33 bargaining agreement:
 15 34 \$ 400,000

Allocates \$400,000 of the \$106,848,094 appropriated in Section 15 of this Bill to the State Patrol Division of the Department of Public Safety for overtime pay for uniformed peace officers covered by a collective bargaining agreement.

15 35 Sec. 24. SALARY MODEL ADMINISTRATOR. The salary model
 16 1 administrator shall work in conjunction with the legislative
 16 2 services agency to maintain the state's salary model used for
 16 3 analyzing, comparing, and projecting state employee salary and
 16 4 benefit information, including information relating to
 16 5 employees of the state board of regents. The department of
 16 6 revenue, the department of administrative services, the five
 16 7 institutions under the jurisdiction of the state board of

Requires the Department of Management (DOM) salary model administrator to work in conjunction with the Legislative Services Agency (LSA) in maintaining the State's salary model.

Requires the following departments or entities to provide salary data to the DOM and the LSA:

- Revenue
- Administrative Services

16 8 regents, the judicial district departments of correctional
 16 9 services, and the state department of transportation shall
 16 10 provide salary data to the department of management and the
 16 11 legislative services agency to operate the state's salary
 16 12 model. The format and frequency of provision of the salary
 16 13 data shall be determined by the department of management and
 16 14 the legislative services agency. The information shall be
 16 15 used in collective bargaining processes under chapter 20 and
 16 16 in calculating the funding needs contained within the annual
 16 17 salary adjustment legislation. A state employee organization
 16 18 as defined in section 20.3, subsection 4, may request
 16 19 information produced by the model, but the information
 16 20 provided shall not contain information attributable to
 16 21 individual employees.

- Five institutions of the Board of Regents
- Eight judicial district departments of community-based corrections
- Transportation

Permits a State employee organization to request information produced by the model, however, the information provided can not be individually identifiable.

16 22 Sec. 25. Section 20.5, subsection 3, Code 2007, is amended
 16 23 to read as follows:

16 24 3. In selecting the members of the board, consideration
 16 25 shall be given to their knowledge, ability, and experience in
 16 26 the field of labor-management relations. The chairperson and
 16 27 the remaining two members shall ~~each receive an annual salary~~
 16 28 ~~as set by the general assembly~~ be compensated as provided in
 16 29 section 7E.6, subsection 5.

CODE: Provides compensation for the Public Employment Relations Board by statute rather than by the General Assembly.

DETAIL: The salaries are established within range 4 (\$61,838 - \$94,619).

16 30 Sec. 26. Section 99D.6, Code 2007, is amended to read as
 16 31 follows:
 16 32 99D.6 CHAIRPERSON -- ADMINISTRATOR -- EMPLOYEES -- DUTIES
 16 33 -- BOND.

16 34 The commission shall elect in July of each year one of its
 16 35 members as chairperson for the succeeding year. The
 17 1 commission shall appoint an administrator of the commission
 17 2 subject to confirmation by the senate. The administrator
 17 3 shall serve a four-year term. The term shall begin and end in
 17 4 the same manner as set forth in section 69.19. A vacancy
 17 5 shall be filled for the unexpired portion of the term in the
 17 6 same manner as a full-term appointment is made. The

CODE: Requires the Governor to set the compensation for the Administrator of the State Racing and Gaming Commission (Department of Inspections and Appeals), taking into consideration the level of knowledge and experience of the administrator.

DETAIL: The administrator was in range seven in prior years. The current salary is \$142,578 annually.

17 7 administrator may hire other assistants and employees as
 17 8 necessary to carry out the commission's duties. Employees in
 17 9 the positions of equine veterinarian, canine veterinarian, and
 17 10 equine steward shall be exempt from the merit system
 17 11 provisions of chapter 8A, subchapter IV, and shall not be
 17 12 covered by a collective bargaining agreement. Some or all of
 17 13 the information required of applicants in section 99D.8A,
 17 14 subsections 1 and 2, may also be required of employees of the
 17 15 commission if the commission deems it necessary. The
 17 16 administrator shall keep a record of the proceedings of the
 17 17 commission and preserve the books, records, and documents
 17 18 entrusted to the administrator's care. The administrator
 17 19 shall be covered by the blanket surety bond of the state
 17 20 purchased pursuant to section 8A.321, subsection 13. ~~Subject~~
 17 21 ~~to the approval of the governor, the commission shall fix the~~
 17 22 ~~compensation of the administrator within the salary range as~~
 17 23 ~~set by the general assembly. The compensation and employment~~
 17 24 terms of the administrator shall be set by the governor,
 17 25 taking into consideration the level of knowledge and
 17 26 experience of the administrator. The commission shall have
 17 27 its headquarters in the city of Des Moines and shall meet in
 17 28 July of each year and at other times and places as it finds
 17 29 necessary for the discharge of its duties.

17 30 Sec. 27. Section 421.1A, subsection 6, Code 2007, is
 17 31 amended to read as follows:

17 32 6. The members of the property assessment appeal board
 17 33 shall receive compensation from the state commensurate with
 17 34 the salary of a district judge through December 31, 2013. The
 17 35 members of the board shall be considered state employees for
 18 1 purposes of salary and benefits. The members of the board and
 18 2 any employees of the board, when required to travel in the
 18 3 discharge of official duties, shall be paid their actual and
 18 4 necessary expenses incurred in the performance of duties.

18 5 Sec. 28. Section 602.1301, subsection 2, paragraph b, Code

CODE: Establishes the compensation for a member of the Property Assessment Appeal Board at the same amount as that of a district court judge through December 31, 2013.

DETAIL: The compensation is currently the same as that of a district court judge. The compensation for FY 2008 is \$128,544.

CODE: Requires the Supreme Court to submit to the Director of the Department of Management a detailed listing of requested increases

18 6 2007, is amended to read as follows:
 18 7 b. Before December 1, the supreme court shall submit to
 18 8 the director of management an estimate of the total
 18 9 expenditure requirements of the judicial branch including a
 18 10 detailed listing of requested increases in salaries of all
 18 11 judges and magistrates for the succeeding fiscal year. The
 18 12 director of management shall submit this estimate received
 18 13 from the supreme court to the governor for inclusion without
 18 14 change in the governor's proposed budget for the succeeding
 18 15 fiscal year. The estimate shall also be submitted to the
 18 16 chairpersons of the committees on appropriations.

in salaries of all judges and magistrates for the succeeding fiscal year annually before December 1.

18 17 DIVISION IV
 18 18 OTHER APPROPRIATIONS
 18 19 AND RELATED MATTERS

18 20 Sec. 29. CAPITOL COMPLEX SHUTTLE. There is appropriated
 18 21 from the general fund of the state to the department of
 18 22 administrative services for the fiscal year beginning July 1,
 18 23 2007, and ending June 30, 2008, the following amount, or so
 18 24 much thereof as is necessary, to be used for the purpose
 18 25 designated:

General Fund appropriation to the Department of Administrative Services.

18 26 For the state's share of support in conjunction with the
 18 27 city of Des Moines and local area businesses to provide a free
 18 28 shuttle service to the citizens of Iowa visiting the capitol
 18 29 complex that includes transportation between the capitol
 18 30 complex and the downtown Des Moines area:

DETAIL: This is a new appropriation to fund the State share of support for the shuttle service provided by the Des Moines Area Regional Transit (DART) Authority.

18 31 \$ 120,000

18 32 Details for the shuttle service, including the route to be
 18 33 served, shall be determined pursuant to an agreement to be
 18 34 entered into by the department with the Des Moines area
 18 35 regional transit authority (DART) and any other participating
 19 1 entities.

19 2 Sec. 30. INTERPRETERS FOR THE DEAF. There is appropriated

General Fund appropriation to the Department of Education for allocation to Iowa Western Community College for interpreters for the

19 3 from the general fund of the state to the department of
 19 4 education for the fiscal year beginning July 1, 2007, and
 19 5 ending June 30, 2008, the following amount, or so much thereof
 19 6 as is necessary, to be used for the purpose designated:
 19 7 Due to the high numbers of articulation agreements between
 19 8 the state school for the deaf and Iowa western community
 19 9 college, for allocation for arrangements made between the
 19 10 state school for the deaf and Iowa western community college
 19 11 for deaf interpreters:
 19 12 \$ 200,000

deaf.

DETAIL: This is a new appropriation. Prior to FY 2007, Iowa Vocational Rehabilitation Services (IVRS) provided interpreters for deaf students enrolled at the community colleges and Board of Regents institutions. Upon receiving clarification of federal regulations, IVRS has determined that the colleges are responsible for providing interpreters for students that are not clients of IVRS.

19 13 Sec. 31. COMMUNITY COLLEGE SALARIES. There is
 19 14 appropriated from the general fund of the state to the
 19 15 department of education for the fiscal year beginning July 1,
 19 16 2007, and ending June 30, 2008, the following amount, or so
 19 17 much thereof as is necessary, to be used for the purpose
 19 18 designated:
 19 19 For distribution to community colleges to supplement
 19 20 faculty salaries:
 19 21 \$ 2,000,000

General Fund appropriation to the Department of Education for distribution to the community colleges to supplement faculty salaries.

DETAIL: The last year that a salary adjustment appropriation was made to the community colleges was in FY 1993 in the amount of \$2,000,000. Senate File 588 (Education Appropriations Bill) appropriates \$171,962,414 from the General Fund for general aid to the community colleges, an increase of 7.76% compared to FY 2007.

19 22 1. Moneys appropriated in this section shall be
 19 23 distributed among each community college based on the
 19 24 proportional share of that community college's total salary
 19 25 expenditures in the instructional and instructional part-time
 19 26 categories in the education functions of liberal arts and
 19 27 sciences and vocational-technical bears to the total salary
 19 28 expenditures for all community colleges in the education
 19 29 functions of liberal arts and sciences and
 19 30 vocational-technical in the fiscal year prior to the base
 19 31 year, as determined by the department of education.
 19 32 2. Moneys distributed to each community college under this
 19 33 section shall then be rolled into that base funding allocation
 19 34 for all future years. The use of the funds shall remain as
 19 35 described in this section for all future years.
 20 1 3. Moneys appropriated and distributed to community

Specifies the formula for the allocation of the salary funding for the community colleges. The salary funding is to be considered part of the base funding in subsequent years. The funding must be used to supplement and not supplant any approved salary increases or negotiated agreements. Each college must allocate the salary funds received among all full-time, non-administrative instructors and part-time instructors covered by a collective bargaining agreement. The funds must be allocated to staff in accordance with negotiated agreements or, in the absence of such an agreement, the funds must be allocated equally, with part-time instructors receiving a prorated share.

20 2 colleges under this section shall be used to supplement and
 20 3 not supplant any approved faculty salary increases or
 20 4 negotiated agreements, excluding the distribution of the funds
 20 5 in this section.
 20 6 4. Moneys distributed to a community college under this
 20 7 section shall be allocated to all full-time, nonadministrative
 20 8 instructors and part-time instructors covered by a collective
 20 9 bargaining agreement. The moneys shall be allocated by
 20 10 negotiated agreements according to chapter 20. If no language
 20 11 exists, the moneys shall be allocated equally to all
 20 12 full-time, nonadministrative instructors with part-time
 20 13 instructors covered by a collective bargaining agreement
 20 14 receiving a prorated share of the fund.

20 15 Sec. 32. DEPARTMENT OF ELDER AFFAIRS.
 20 16 1. There is appropriated from the general fund of the
 20 17 state to the department of elder affairs for the fiscal year
 20 18 beginning July 1, 2007, and ending June 30, 2008, the
 20 19 following amount, or so much thereof as is necessary, to be
 20 20 used for the purposes designated:
 20 21 To join in a partnership with a county described in
 20 22 subsection 2 to be used to fund a livable community initiative
 20 23 and hire a full-time professional aging specialist for the
 20 24 initiative:
 20 25 \$ 50,000
 20 26 2. The county eligible for the appropriation in subsection
 20 27 1 shall meet all of the following qualifications:
 20 28 a. Have a livable community initiative, supported by the
 20 29 county board of supervisors, the area agency on aging, the
 20 30 united way, the county public health department and others.
 20 31 b. Have completed a market analysis on successful aging
 20 32 and issued reports containing future directions for housing,
 20 33 transportation, health and supportive services, and successful
 20 34 aging.
 20 35 c. Have organized action teams who are developing action
 21 1 plans to implement the priorities established at a countywide
 21 2 planning session with national leadership.

General Fund appropriation to the Department of Elder Affairs for a Livable Community Initiative. Also, specifies eligibility guidelines that must be met for the county selected to receive the funds.

DETAIL: This is a new appropriation for FY 2008.

21 3 3. The purpose of the professional aging specialist hired
 21 4 under this section is to help in the implementation of the
 21 5 action plans being developed and to work with the
 21 6 governmental, business, educational, health, religious,
 21 7 social, leisure, and service segments of the urban-rural
 21 8 county to create a replicable and portable model of a livable
 21 9 community where persons can age successfully.

21 10 Sec. 33. ALL IOWA OPPORTUNITY ASSISTANCE PROGRAM. If 2007
 21 11 Iowa Acts, Senate File 588, is enacted and provides for an
 21 12 appropriation from the general fund of the state to the
 21 13 college student aid commission for the fiscal year beginning
 21 14 July 1, 2007, and ending June 30, 2008, for the all Iowa
 21 15 opportunity assistance program, there is appropriated to
 21 16 supplement that appropriation as follows:
 21 17 For purposes of the all Iowa opportunity assistance
 21 18 program, which includes the all Iowa opportunity foster care
 21 19 grant program established pursuant to section 261.6 and the
 21 20 all Iowa opportunity scholarship program established pursuant
 21 21 to section 261.88, if sections 261.6 and 261.88 are enacted by
 21 22 2007 Iowa Acts, Senate File 588:
 21 23 \$ 500,000
 21 24 The moneys appropriated in this section shall be used for
 21 25 the all Iowa opportunity scholarship program established
 21 26 pursuant to section 261.88, if enacted.

General Fund appropriation to the College Student Aid Commission for the All Iowa Opportunity Assistance Program.

DETAIL: This appropriation is to supplement the General Fund appropriation of \$1,000,000 for this Program in SF 588 (Education Appropriations Bill). This level of funding will permit private college and university students to receive scholarships.

21 27 Sec. 34. BEFORE AND AFTER SCHOOL GRANT PROGRAM. If 2007
 21 28 Iowa Acts, Senate File 588, is enacted and provides for an
 21 29 appropriation from the general fund of the state to the
 21 30 department of education for the fiscal year beginning July 1,
 21 31 2007, and ending June 30, 2008, for the before and after
 21 32 school grant program, there is appropriated to supplement that
 21 33 appropriation as follows:
 21 34 For the before and after school grant program established
 21 35 pursuant to section 256.26, if enacted by 2007 Iowa Acts,
 22 1 Senate File 588:

General Fund appropriation to the Department of Education.

DETAIL: This appropriation is for the Before and After School Grant Program, subject to enactment of the Program in SF 588 (Education Appropriations Bill). These funds will supplement the \$400,000 General Fund appropriation in SF 588.

22 2 \$ 295,000

22 3 Sec. 35. FARM MEDIATION. If 2007 Iowa Acts, Senate File
22 4 575, is enacted and provides for an appropriation from the
22 5 general fund of the state to the department of justice for the
22 6 fiscal year beginning July 1, 2007, and ending June 30, 2008,
22 7 for the purpose of funding farm mediation services, there is
22 8 appropriated to supplement that appropriation as follows:
22 9 For the purpose of funding farm mediation services and
22 10 other farm assistance program provisions in accordance with
22 11 sections 13.13 through 13.24:

22 12 \$ 150,000

General Fund appropriation to the Department of Justice for the Farm Mediation Program.

DETAIL: This is an increase of \$150,000 compared to the estimated FY 2007 appropriation. This appropriation is in addition to the appropriation of \$150,000 in SF 575 (Justice System Appropriations Bill). The FY 2007 General Fund appropriation is \$100,000.

22 13 Sec. 36. DEPARTMENT OF PUBLIC HEALTH -- 211 PROGRAM.
22 14 There is appropriated from the general fund of the state to
22 15 the department of public health for the fiscal year beginning
22 16 July 1, 2007, and ending June 30, 2008, the following amount,
22 17 or so much thereof as is necessary, to be used for the
22 18 purposes designated:

22 19 For award to 211 nonprofit call centers providing human
22 20 services information for citizens of this state, in accordance
22 21 with this section:

22 22 \$ 200,000

22 23 1. The amount appropriated in this section shall be
22 24 awarded to 211 call centers that apply for funding under this
22 25 section and meet the criteria for the funding established by
22 26 the department in consultation with an industry advisory
22 27 committee. The committee shall consist of two members who are
22 28 executive officers from a statewide organization that provided
22 29 funding to 211 call centers during calendar year 2006, one
22 30 member representing the department of elder affairs, one
22 31 member representing the board of directors of a nonprofit call
22 32 center in this state, and an Iowa member representing the
22 33 alliance of information and referral systems. The committee
22 34 shall assist the department in reviewing funding applications
22 35 and awarding the funds.

General Fund appropriation to the Department of Public Health.

DETAIL: This is a new appropriation for FY 2008 for a grant to operate the 211 Program Call Centers. Requires a report on the activities and accomplishments to be submitted to the Governor and the General Assembly.

23 1 2. The department shall submit a report to the governor
 23 2 and general assembly providing detailed information concerning
 23 3 the funding distributed to call centers under this section,
 23 4 addressing the purposes for which the funding was used, the
 23 5 call volume for each call center, and the subject addressed by
 23 6 the calls.

23 7 Sec. 37. JUDICIAL BRANCH. There is appropriated from the
 23 8 general fund of the state to the judicial branch for the
 23 9 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 23 10 the following amount, or so much thereof as is necessary, for
 23 11 the purposes designated:
 23 12 For salaries, support, and miscellaneous purposes:
 23 13 \$ 14,200,000
 23 14 The amount appropriated in this section is a supplement to
 23 15 the appropriations made for these purposes in 2007 Iowa Acts,
 23 16 Senate File 563, if enacted.

General Fund appropriation to the Judicial Branch.

DETAIL: This appropriation replaces an allocation from judicial receipts that is eliminated in Sections 64 and 65. Of this amount, \$200,000 is one-time money to fund the processing of installment agreements repealed in Section 47.

23 17 Sec. 38. INDIGENT DEFENSE PROGRAM. There is appropriated
 23 18 from the general fund of the state to the office of state
 23 19 public defender of the department of inspections and appeals
 23 20 for the fiscal year beginning July 1, 2007, and ending June
 23 21 30, 2008, the following amount, or so much thereof as is
 23 22 necessary, for the purposes designated:
 23 23 For the indigent defense program:
 23 24 \$ 3,000,000
 23 25 The amount appropriated in this section is a supplement to
 23 26 the appropriations made for these purposes in 2007 Iowa Acts,
 23 27 Senate File 575, if enacted.

General Fund appropriation to the Office of the State Public Defender for the Indigent Defense Program.

DETAIL: This appropriation replaces an allocation from judicial receipts that is eliminated in Sections 64 and 65.

23 28 Sec. 39. NEWTON CORRECTIONAL FACILITY. There is
 23 29 appropriated from the general fund of the state to the
 23 30 department of corrections for the fiscal year beginning July
 23 31 1, 2007, and ending June 30, 2008, the following amount, or so
 23 32 much thereof as is necessary, for the purposes designated:

General Fund appropriation to the Department of Corrections for the Newton Correctional Facility.

DETAIL: This appropriation replaces an allocation from judicial receipts that is eliminated in Sections 64 and 65.

23 33 For the Newton correctional facility:
 23 34 \$ 560,000
 23 35 The amount appropriated in this section is a supplement to
 24 1 the appropriations made for these purposes in 2007 Iowa Acts,
 24 2 Senate File 575, if enacted.

24 3 Sec. 40. LEGAL SERVICES POVERTY GRANTS. There is
 24 4 appropriated from the general fund of the state to the office
 24 5 of attorney general for the fiscal year beginning July 1,
 24 6 2007, and ending June 30, 2008, the following amount, or so
 24 7 much thereof as is necessary, for the purposes designated:
 24 8 For legal services for persons in poverty grants as
 24 9 provided in section 13.34:
 24 10 \$ 450,000
 24 11 The amount appropriated in this section is a supplement to
 24 12 the appropriations made for these purposes in 2007 Iowa Acts,
 24 13 Senate File 575, if enacted.

24 14 Sec. 41. IOWA JUNIOR ANGUS ASSOCIATION. There is
 24 15 appropriated from the general fund of the state to the
 24 16 department of agriculture and land stewardship for the fiscal
 24 17 year beginning July 1, 2007, and ending June 30, 2008, the
 24 18 following amount, or so much thereof as is necessary, to be
 24 19 used for the purpose designated:
 24 20 For allocation to the Iowa junior angus association in
 24 21 connection with the 2008 national junior angus show:
 24 22 \$ 10,000

24 23 Sec. 42. PLASMA ARC TECHNOLOGY. There is appropriated
 24 24 from the general fund of the state to the department of
 24 25 natural resources for the fiscal year beginning July 1, 2006,
 24 26 and ending June 30, 2007, the following amount, or so much
 24 27 thereof as is necessary, to be used for the purposes
 24 28 designated:
 24 29 For a grant to a county with a population of more than

General Fund appropriation to the Office of the Attorney General for Legal Services Poverty Grants.

DETAIL: This appropriation replaces an allocation from judicial receipts that is eliminated in Sections 64 and 65.

General Fund appropriation to the Iowa Junior Angus Association.

DETAIL: This is a new appropriation for the 2008 National Junior Angus Show.

General Fund FY 2007 supplemental appropriation to the Department of Natural Resources (DNR).

DETAIL: Appropriates \$150,000 to the DNR for a feasibility study on the use of plasma arc technology for the disposal of solid waste. Plasma arc gasification is a method of waste management that uses high electrical temperatures created by an electrical arc to break down waste into elemental gas. The process can generate electricity and

<p>24 30 190,000 but less than 200,000, according to the 2005 estimate 24 31 issued by the United States bureau of the census: 24 32 \$ 150,000 24 33 The grant shall be used to conduct a study of the 24 34 feasibility of the use of plasma arc and other related energy 24 35 technology for disposal of solid waste while generating 25 1 energy.</p>	<p>reduces waste to landfills.</p>
<p>25 2 Notwithstanding section 8.33, moneys appropriated in this 25 3 section that remain unencumbered or unobligated at the close 25 4 of the fiscal year shall not revert but shall remain available 25 5 for expenditure for the purposes designated until the close of 25 6 the succeeding fiscal year.</p>	<p>CODE: Requires nonreversion of funds appropriated for the plasma arc study.</p>
<p>25 7 Sec. 43. STATE EMPLOYEE TELECOMMUTING -- POLICY. Any 25 8 director of a department or state agency who is subject to a 25 9 requirement to develop a telecommuter employment policy and 25 10 plans shall develop the policy and plans in consultation with 25 11 representatives of the collective bargaining units of the 25 12 employees affected by the policy and plans.</p>	<p>Requires State department and agency Directors to consult with representatives of the collective bargaining units of the affected employees when developing a telecommuting policy.</p>
<p>25 13 Sec. 44. 2006 Iowa Acts, chapter 1177, section 16, 25 14 subsection 4, is amended by adding the following new 25 15 unnumbered paragraph: 25 16 <u>NEW UNNUMBERED PARAGRAPH.</u> Notwithstanding section 8.33, 25 17 moneys appropriated in this subsection that remain 25 18 unencumbered or unobligated at the close of the fiscal year 25 19 shall not revert but shall remain available for expenditure 25 20 for the purposes designated during the succeeding fiscal year.</p>	<p>CODE: Requires nonreversion of funds appropriated in FY 2007 to the Department of Management for performance audits.</p>
<p>25 21 Sec. 45. 2006 Iowa Acts, chapter 1180, section 5, 25 22 subsection 6, is amended by adding the following new 25 23 unnumbered paragraph: 25 24 <u>NEW UNNUMBERED PARAGRAPH.</u> Notwithstanding section 8.33, 25 25 moneys appropriated in this subsection that remain</p>	<p>CODE: Requires nonreversion of funds appropriated in FY 2007 to the Department of Cultural Affairs for the Great Places Initiative.</p>

25 26 unencumbered or unobligated at the close of the fiscal year
25 27 shall not revert but shall remain available for expenditure
25 28 for the purposes designated until the close of the succeeding
25 29 fiscal year.

25 30 Sec. 46. 2007 Iowa Acts, Senate File 562, section 1,
25 31 subsection 6, if enacted, is amended by adding the following
25 32 new unnumbered paragraph:
25 33 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
25 34 moneys appropriated in this subsection that remain
25 35 unencumbered or unobligated at the close of the fiscal year
26 1 shall not revert but shall remain available for expenditure
26 2 for the purposes designated until the close of the succeeding
26 3 fiscal year.

CODE: Requires nonreversion of funds appropriated for FY 2008 in SF 562 (Economic Development Appropriations Bill) to the Department of Cultural Affairs for the Great Places Initiative.

26 4 Sec. 47. The section of 2007 Iowa Acts, House File 641,
26 5 which is titled "processing of installment agreements", and
26 6 which refers to section 602.8107, subsection 4, and allocates
26 7 moneys to the judicial branch, if enacted, is repealed.

CODE: Repeals the \$300,000 allocation to the Judicial Branch to enhance its ability to efficiently process installment agreements.

DETAIL: Section 37 appropriates \$200,000 of one-time money from the General Fund for this purpose. An additional \$100,000 will be transferred from the Department of Transportation to the Judicial Branch to complete the enhancement.

26 8 Sec. 48. 2007 Iowa Acts, House File 752, section 1,
26 9 subsection 2, paragraph a, if enacted, is amended to read as
26 10 follows:
26 11 a. Operations:
26 12 \$ ~~6,237,000~~
26 13 6,253,800

CODE: Increases the FY 2008 Road Use Tax Fund appropriation for the Operations budget unit within the Department of Transportation.

DETAIL: This is an increase of \$16,800 compared to the amount appropriated in HF 752 (Transportation Appropriations Bill). The Operations budget unit also receives an increase from the Primary Road Fund and 1.00 additional FTE position. This combined funding represents an increase of \$120,000 and 1.00 FTE position compared to the amount appropriated in HF 752 for the Operations budget unit.

26 14 Sec. 49. 2007 Iowa Acts, House File 752, section 2,
26 15 subsection 1, paragraph a, if enacted, is amended to read as

CODE: Increases the FY 2008 Primary Road Fund appropriation for the Operations budget unit within the Department of Transportation.

26 16	follows:		DETAIL: This is an increase of \$103,200 and 1.00 FTE position compared to the amount appropriated in HF 752 (Transportation Appropriations Bill) to restore the FTE position eliminated due to reorganization. The Operations budget unit also receives an increase from the Road Use Tax Fund.
26 17	a. Operations:		
26 18	.....	\$ 38,311,652	
26 19	.....	<u>38,414,852</u>	
26 20	..... FTEs	305.00	
26 21	.....	<u>306.00</u>	
26 22	Sec. 50. 2007 Iowa Acts, House File 752, section 1,		CODE: Increases the appropriation from the Road Use Tax Fund by \$43,707 for payment to the Department of Administrative Services (DAS) for personnel and utility services.
26 23	subsection 3, if enacted, is amended to read as follows:		
26 24	3. For payments to the department of administrative		
26 25	services for utility services:		
26 26	.....	\$ 145,000	
26 27	.....	<u>188,207</u>	
26 28	Sec. 51. 2007 Iowa Acts, House File 752, section 2,		CODE: Increases the appropriation from the Primary Road Fund by \$265,417 for payment to the DAS for personnel and utility services. This increase, combined with the Road Use Tax Fund increase, represents a total increase of \$308,624 compared to the amount appropriated in HF 752.
26 29	subsection 2, if enacted, is amended to read as follows:		
26 30	2. For payments to the department of administrative		
26 31	services for utility services:		
26 32	.....	\$ 888,000	
26 33	.....	<u>1,153,417</u>	
26 34	Sec. 52. 2007 Iowa Acts, House File 874, section 7,		CODE: Adds 0.50 FTE position to the Insurance Division of the Department of Commerce.
26 35	subsection 4, paragraph a, if enacted, is amended to read as		
27 1	follows:		
27 2	a. For salaries, support, maintenance, and miscellaneous		
27 3	purposes, and for not more than the following full-time		
27 4	equivalent positions:		
27 5	.....	\$ 4,655,809	
27 6	..... FTEs	100.50	
27 7	.....	<u>101.00</u>	
27 8	Sec. 53. OFFICE OF ENERGY INDEPENDENCE. If 2007 Iowa		Adds authority for the Office of Energy Independence to employ 4.00 FTE positions during FY 2007.
27 9	Acts, House File 927, is enacted and provides for an		
27 10	appropriation from the general fund of the state to the office		
27 11	of energy independence for the fiscal year beginning July 1,		DETAIL: Permits the Office to use up to \$370,050 of the funds

27 12 2006, and ending June 30, 2007, allocations from that
 27 13 appropriation for administrative costs shall be for not more
 27 14 than the following full-time equivalent positions:
 27 15 FTEs 4.00

appropriated in HF 927 (Iowa Power Fund Appropriations Bill) for administrative purposes.

27 16 Sec. 54. TIM SHIELDS CENTER. It is the intent of the
 27 17 general assembly that appropriations be made from moneys in
 27 18 the state treasury to assist the local government innovation
 27 19 commission in funding the Tim Shields center for governing
 27 20 excellence in Iowa established in section 8.68 if enacted by
 27 21 2007 Iowa Acts, Senate File 155.

Specifies the intent of the General Assembly that appropriations be made from moneys in the State Treasury to assist the Local Government Innovation Commission in funding the Tim Shields Center, contingent on enactment of SF 155 (Local Government Innovation Commission Act). The Act was signed by the Governor on April 27, 2007. Senate File 155 creates a Local Government Innovation Commission under the purview of the Department of Management. The Commission is to establish, oversee, and direct activities of a Tim Shields Center for Governing Excellence in Iowa, also established in SF 155.

27 22 Sec. 55. STATE BOARD OF REGENTS -- ARTICULATION WEBSITE.
 27 23 The general assembly finds that as college costs increase,
 27 24 Iowa's community college students need access to resources
 27 25 that allow the students to make informed, cost-effective
 27 26 decisions regarding their postsecondary education plans. It
 27 27 is the intent of the general assembly to provide for a
 27 28 seamless transition for students transferring from Iowa's
 27 29 community colleges to Iowa's state universities. Therefore,
 27 30 the state board of regents shall, in cooperation with the
 27 31 department of education and the community colleges, develop,
 27 32 maintain, and promote a user-friendly credit transfer and
 27 33 articulation internet website that allows Iowans to know at
 27 34 the time of enrollment in a community college course whether
 27 35 the credit will be accepted by the state university of the
 28 1 student's choice, the category in which the university will
 28 2 apply the credit, and to which degree program or programs the
 28 3 university will apply the credit. The board and the community
 28 4 colleges shall continuously strive to improve upon the
 28 5 coordinating efforts between the state universities and the
 28 6 community colleges to map and articulate community college
 28 7 courses for college credit with the degree programs offered at

Requires the Board of Regents, in cooperation with the Department of Education and the community colleges, to develop, maintain, and promote a college credit transfer and articulation website by July 1, 2008.

28 8 the state universities. The website shall be operational not
28 9 later than July 1, 2008.

28 10 Sec. 56. NEW SECTION. 15.391 WORLD FOOD PRIZE AWARD AND
28 11 SUPPORT.

28 12 1. Commencing with the fiscal year beginning July 1, 2008,
28 13 there is annually appropriated from the general fund of the
28 14 state to the department one million dollars for the support of
28 15 the world food prize award.

28 16 2. The Iowa state capitol is designated as the primary
28 17 location for the annual ceremony to award the world food
28 18 prize.

CODE: Creates a standing General Fund appropriation of \$1,000,000 for support of the World Food Prize beginning in FY 2009.

DETAIL: The World Food Prize receives a \$650,000 General Fund appropriation for FY 2008 in SF 562 (Economic Development Appropriations Bill). The appropriation in SF 562 is reduced by \$200,000 in Section 72, for a total of \$450,000 for the World Food Prize for FY 2008. The appropriation of \$450,000 for FY 2008 is an increase of \$50,000 compared to estimated FY 2007. The standing appropriation established in this Section for FY 2009 and later years would result in an increase of \$550,000 compared to the net appropriation for FY 2008.

28 19 Sec. 57. NEW SECTION. 15.392 WORLD FOOD PRIZE YOUTH
28 20 INSTITUTE.

28 21 1. As a condition of receiving state funding, the entity
28 22 awarding the world food prize shall establish a world food
28 23 prize youth institute program in honor of Nobel peace prize
28 24 laureate Dr. Norman E. Borlaug. The purpose of the program
28 25 shall be to provide an educational opportunity and forum for
28 26 high school students in this state who have an interest in
28 27 food, agriculture, or natural resources disciplines.

28 28 2. State funding for the world food prize youth institute
28 29 for a fiscal year shall be allocated from the appropriation
28 30 made for the support of the world food prize award.

28 31 3. A world food prize youth institute advisory committee
28 32 is established to advise and support the institute. The
28 33 advisory committee shall receive regular updates concerning
28 34 the status of the institute. The membership of the advisory
28 35 committee shall include two members of the senate, one each
29 1 appointed by the majority and minority party leaders, and two
29 2 members of the house of representatives appointed by the
29 3 speaker and minority leader of the house of representatives.
29 4 In addition, the governor shall appoint two members. The

CODE: Creates the World Food Prize Youth Institute. Creates an advisory committee and specifies the membership. The Department of Economic Development is to provide staff support for the advisory committee.

29 5 terms of the legislative and executive branch appointments
29 6 shall coincide with each legislative biennium. A vacancy in a
29 7 legislative or executive branch appointment shall be filled
29 8 for the balance of the unexpired term by the original
29 9 appointing authority.
29 10 4. Staff support for the advisory committee shall be
29 11 provided by the department of economic development.

29 12 Sec. 58. Section 15F.203, subsection 3, paragraph e, Code
29 13 2007, is amended to read as follows:
29 14 e. The project is primarily a vertical infrastructure
29 15 project with demonstrated substantial regional or statewide
29 16 economic impact. For purposes of the program, "vertical
29 17 infrastructure" means land acquisition and construction, major
29 18 renovation and major repair of buildings, all appurtenant
29 19 structures, utilities, site development, and recreational
29 20 trails and water trails. "Vertical infrastructure" does not
29 21 include routine, recurring maintenance or operational expenses
29 22 or leasing of a building, appurtenant structure, or utility
29 23 without a lease-purchase agreement.

CODE: Adds "water trails" to the definition of "vertical infrastructure"
for the purposes of the Community Attractions and Tourism (CAT)
Program.

29 24 Sec. 59. Section 15F.204, subsection 8, Code 2007, is
29 25 amended to read as follows:
29 26 8. a. There is appropriated from the rebuild Iowa
29 27 infrastructure fund to the community attraction and tourism
29 28 fund, the following amounts:
29 29 (1) For the fiscal year beginning July 1, 2004, and ending
29 30 June 30, 2005, the sum of twelve million dollars.
29 31 (2) For the fiscal year beginning July 1, 2005, and ending
29 32 June 30, 2006, the sum of five million dollars.
29 33 (3) For the fiscal year beginning July 1, 2006, and ending
29 34 June 30, 2007, the sum of five million dollars.
29 35 (4) For the fiscal year beginning July 1, 2007, and ending
30 1 June 30, 2008, the sum of five million dollars.
30 2 (5) For the fiscal year beginning July 1, 2008, and ending
30 3 June 30, 2009, the sum of five million dollars.

CODE: Extends the \$5,000,000 annual Rebuild Iowa Infrastructure
Fund (RIIF) appropriation and the \$7,000,000 annual General Fund
appropriation to the CAT Program for an additional three years (FY
2011 through FY 2013). Increases the maximum multi-year
commitment to an applicant from \$4,000,000 to \$6,000,000.

30 4 (6) For the fiscal year beginning July 1, 2009, and ending
 30 5 June 30, 2010, the sum of five million dollars.
 30 6 (7) For the fiscal year beginning July 1, 2010, and ending
 30 7 June 30, 2011, the sum of five million dollars.
 30 8 (8) For the fiscal year beginning July 1, 2011, and ending
 30 9 June 30, 2012, the sum of five million dollars.
 30 10 (9) For the fiscal year beginning July 1, 2012, and ending
 30 11 June 30, 2013, the sum of five million dollars.
 30 12 b. There is appropriated from the franchise tax revenues
 30 13 deposited in the general fund of the state to the community
 30 14 attraction and tourism fund, the following amounts:
 30 15 (1) For the fiscal year beginning July 1, 2005, and ending
 30 16 June 30, 2006, the sum of seven million dollars.
 30 17 (2) For the fiscal year beginning July 1, 2006, and ending
 30 18 June 30, 2007, the sum of seven million dollars.
 30 19 (3) For the fiscal year beginning July 1, 2007, and ending
 30 20 June 30, 2008, the sum of seven million dollars.
 30 21 (4) For the fiscal year beginning July 1, 2008, and ending
 30 22 June 30, 2009, the sum of seven million dollars.
 30 23 (5) For the fiscal year beginning July 1, 2009, and ending
 30 24 June 30, 2010, the sum of seven million dollars.
 30 25 (6) For the fiscal year beginning July 1, 2010, and ending
 30 26 June 30, 2011, the sum of seven million dollars.
 30 27 (7) For the fiscal year beginning July 1, 2011, and ending
 30 28 June 30, 2012, the sum of seven million dollars.
 30 29 (8) For the fiscal year beginning July 1, 2012, and ending
 30 30 June 30, 2013, the sum of seven million dollars.
 30 31 Notwithstanding the allocation requirements in subsection
 30 32 5, the board may make a multiyear commitment to an applicant
 30 33 of up to ~~four~~ six million dollars in any one fiscal year.

30 34 Sec. 60. Section 256D.5, subsection 4, Code 2007, is
 30 35 amended to read as follows:
 31 1 4. For each fiscal year of the fiscal period beginning
 31 2 July 1, 2004, and ending June 30, ~~2007~~ 2012, the sum of
 31 3 twenty-nine million two hundred fifty thousand dollars.

CODE: Extends the \$29,250,000 General Fund appropriation and the sunset date for the Early Intervention Block Grant Program through FY 2012.

DETAIL: These funds are appropriated to the Department of Education and distributed to school districts for reduction of class

sizes in Grades K-3.

31 4 Sec. 61. Section 256D.9, Code 2007, is amended to read as
 31 5 follows:
 31 6 256D.9 FUTURE REPEAL.
 31 7 This chapter is repealed effective July 1, ~~2007~~ 2012.

CODE: Extends the repeal date for the Early Intervention Block Grant Program from July 1, 2007, to July 1, 2012.

31 8 Sec. 62. Section 279.51, subsection 1, Code 2007, is
 31 9 amended to read as follows:
 31 10 1. There is appropriated from the general fund of the
 31 11 state to the department of education for the fiscal year
 31 12 beginning July 1, ~~2000~~ 2007, and each succeeding fiscal year,
 31 13 the sum of twelve million ~~five~~ six hundred ~~sixty six~~ six thousand
 31 14 one hundred ninety-six dollars.

CODE: Increases the General Fund standing appropriation to the Department of Education for programs for at-risk children to \$12,606,196 annually beginning in FY 2008.

DETAIL: This is an increase of \$46,196 compared to the current statutory amount and an increase of \$1,335,196 compared to the FY 2007 appropriation. Since FY 2002, the General Assembly has appropriated less than the amount required by statute. Since FY 2005, the appropriation has been reduced annually to \$11,271,000.

31 15 The moneys shall be allocated as follows:
 31 16 a. Two hundred seventy-five thousand eight hundred
 31 17 sixty-four dollars of the funds appropriated shall be
 31 18 allocated to the area education agencies to assist school
 31 19 districts in developing program plans and budgets under this
 31 20 section and to assist school districts in meeting other
 31 21 responsibilities in early childhood education.
 31 22 b. For the fiscal year beginning July 1, ~~1998~~ 2007, and
 31 23 for each succeeding fiscal year, eight million five hundred
 31 24 ~~ten~~ thirty-six thousand seven hundred forty dollars of the
 31 25 funds appropriated shall be allocated to the child development
 31 26 coordinating council established in chapter 256A for the
 31 27 purposes set out in subsection 2 of this section and section
 31 28 256A.3.
 31 29 c. For the fiscal year beginning July 1, ~~1996~~ 2007, and
 31 30 for each fiscal year thereafter, three million five hundred
 31 31 ten thousand nine hundred ninety-two dollars of the funds
 31 32 appropriated shall be allocated as grants to school districts

CODE: Allocates the appropriation for programs for at-risk children as follows:

- \$275,864 to the Area Education Agencies (AEAs) to assist school districts in developing program plans and budgets and other responsibilities in early childhood education. This is an increase of \$864 compared to the current statutory allocation and an increase of \$29,087 compared to the FY 2007 allocation.
- \$8,536,740 to the Child Development Coordinating Council (CDCC) for grants to support early childhood programming. In FY 2007, 90.27% of the funding allocated to the CDCC is being used to fund the Shared Visions Preschool Programs that serve children ages 3 to 5. Another \$727,106 has been designated for Parent Support Grants for families with children from birth to age 3. The new allocation amount is an increase of \$26,740 compared to the current statutory allocation and an increase of \$906,919 compared to the FY 2007 allocation.
- \$3,510,992 for grants to school districts that have elementary schools demonstrating the greatest need for at-risk programs, with preference given to innovative programs for the early

31 33 that have elementary schools that demonstrate the greatest
 31 34 need for programs for at-risk students with preference given
 31 35 to innovative programs for the early elementary school years.
 32 1 School districts receiving grants under this paragraph shall
 32 2 at a minimum provide activities and materials designed to
 32 3 encourage children's self-esteem, provide role modeling and
 32 4 mentoring techniques in social competence and social skills,
 32 5 and discourage inappropriate drug use. The grant allocations
 32 6 made in this paragraph may be renewed for additional periods
 32 7 of time. Of the amount allocated under this paragraph for
 32 8 each fiscal year, seventy-five thousand dollars shall be
 32 9 allocated to school districts which have an actual student
 32 10 population of ten thousand or less and have an actual
 32 11 non-English speaking student population which represents
 32 12 greater than five percent of the total actual student
 32 13 population for grants to elementary schools in those
 32 14 districts.
 32 15 d. Notwithstanding section 256A.3, subsection 6, of the
 32 16 amount appropriated in this subsection for the fiscal year
 32 17 beginning July 1, ~~1996~~ 2007, and for each succeeding fiscal
 32 18 year, ~~two and one fourth percent up to two hundred eighty-two~~
 32 19 thousand six hundred dollars may be used for administrative
 32 20 costs. ~~Any reduction of an allocation under this subsection~~
 32 21 ~~as necessary to fund the provisions of this paragraph shall be~~
 32 22 ~~made from the allocation in paragraph "b".~~

32 23 Sec. 63. Section 469.10, subsection 2, if enacted by 2007
 32 24 Iowa Acts, House File 927, is amended to read as follows:
 32 25 2. Of the moneys appropriated to the office and deposited
 32 26 in the fund, the office shall utilize up to one and
 32 27 five-tenths percent of the amount appropriated from the fund
 32 28 for a fiscal year for administrative costs. From the funds
 32 29 available for administrative costs, the office shall not
 32 30 employ more than four full-time equivalent positions.

32 31 Sec. 64. Section 602.1304, subsection 2, paragraph b, Code

elementary years. Of this amount, \$75,000 is allocated to districts of 10,000 students or less where more than 5.0% of the students are non-English speaking. The new allocation amount is an increase of \$10,992 compared to the current statutory allocation and an increase of \$370,188 compared to the FY 2007 allocation.

- Up to \$282,600 to the Department of Education for administrative purposes. This is no change compared to the current statutory allocation and an increase of \$29,002 compared to the FY 2007 allocation. The allocation is fully funded. Under the current statute, a reduction in the allocation to the CDCC is necessary to fully fund the administrative allocation.

CODE: Permits the Office of Energy Independence to employ up to 4.00 FTE positions if HF 927 (Iowa Power Fund Appropriation Bill) is enacted.

DETAIL: House File 927 was approved by the General Assembly on April 27 and provides up to \$370,050 of the \$24,670,000 FY 2007 General Fund appropriation for administrative costs. The funds do not revert at the end of FY 2007.

CODE: Repeals the allocations of judicial receipts resulting in deposit

32 2007, is amended to read as follows:
 32 b. For each fiscal year, a judicial collection estimate
 32 for that fiscal year shall be equally and proportionally
 32 divided into a quarterly amount. The judicial collection
 33 estimate shall be calculated by using the state revenue
 33 estimating conference estimate made by December 15 pursuant to
 33 section 8.22A, subsection 3, of the total amount of fines,
 33 fees, civil penalties, costs, surcharges, and other revenues
 33 collected by judicial officers and court employees for deposit
 33 into the general fund of the state. The revenue estimating
 33 conference estimate shall be reduced by the maximum amounts
 33 allocated to the Iowa prison infrastructure fund pursuant to
 33 section 602.8108A, the court technology and modernization fund
 33 pursuant to section 602.8108, subsection 7, ~~the judicial-~~
 33 ~~branch pursuant to section 602.8108, subsection 8, the~~
 33 ~~department of inspections and appeals pursuant to section~~
 33 ~~602.8108, subsection 9, the office of attorney general~~
 33 ~~pursuant to section 602.8108, subsection 10, the department of~~
 33 ~~corrections pursuant to section 602.8108, subsection 11, and~~
 33 the road use tax fund pursuant to section 602.8108, subsection
 33 12, and the remainder shall be the judicial collection
 33 estimate. In each quarter of a fiscal year, after revenues
 33 collected by judicial officers and court employees equal to
 33 that quarterly amount are deposited into the general fund of
 33 the state, after the required amount is deposited during the
 33 quarter into the Iowa prison infrastructure fund pursuant to
 33 section 602.8108A, into the court technology and modernization
 33 fund pursuant to section 602.8108, subsection 7, and into the
 33 road use tax fund pursuant to section 602.8108, subsection 12,
 33 ~~after the required amount is allocated to the judicial branch~~
 33 ~~pursuant to section 602.8108, subsection 8, and after the~~
 33 ~~required amount is allocated to the department of inspections-~~
 33 ~~and appeals pursuant to section 602.8108, subsection 9, the~~
 33 ~~office of attorney general pursuant to section 602.8108,~~
 33 ~~subsection 10, and the department of corrections pursuant to~~
 33 ~~section 602.8108, subsection 11, the director of the~~
 33 department of administrative services shall deposit the
 33 remaining revenues for that quarter into the enhanced court

of the receipts into the General Fund.

DETAIL: Under current law, the following agencies receive allocations from judicial receipts:

- \$450,000 to the Office of the Attorney General for Legal Services Poverty Grants.
- \$560,000 to the Department of Corrections for the Newton Correctional Facility.
- \$3,000,000 to the Office of the State Public Defender for the Indigent Defense Program.
- \$14,000,000 to the Judicial Branch for its operating budget.

Sections 37 through 40 replace the allocations of judicial receipts with General Fund appropriations to the agencies listed above. The allocations for the Legal Service Poverty Grants, the Newton Correctional Facility, and the Indigent Defense Program maintain the same level of funding. The Judicial Branch operations budget receives an increase of \$200,000 in one-time funding for processing installment agreements and in addition will receive a \$100,000 transfer from the Department of Transportation. This \$300,000 increase offsets the repeal of a \$300,000 allocation for the same purpose in HF 641 (Court Procedures and Fees Bill).

33 35 collections fund in lieu of the general fund. However, after
34 1 total deposits into the collections fund for the fiscal year
34 2 are equal to the maximum deposit amount established for the
34 3 collections fund, remaining revenues for that fiscal year
34 4 shall be deposited into the general fund. If the revenue
34 5 estimating conference agrees to a different estimate at a
34 6 later meeting which projects a lesser amount of revenue than
34 7 the initial estimate amount used to calculate the judicial
34 8 collection estimate, the director of the department of
34 9 administrative services shall recalculate the judicial
34 10 collection estimate accordingly. If the revenue estimating
34 11 conference agrees to a different estimate at a later meeting
34 12 which projects a greater amount of revenue than the initial
34 13 estimate amount used to calculate the judicial collection
34 14 estimate, the director of the department of administrative
34 15 services shall recalculate the judicial collection estimate
34 16 accordingly but only to the extent that the greater amount is
34 17 due to an increase in the fines, fees, civil penalties, costs,
34 18 surcharges, or other revenues allowed by law to be collected
34 19 by judicial officers and court employees.

34 20 Sec. 65. Section 602.8108, subsections 8, 9, 10, and 11,
34 21 Code 2007, are amended by striking the subsections.

CODE: Repeals the allocation language for judicial receipts.

34 22 Sec. 66. EFFECTIVE DATE. The section of this division of
34 23 this Act making an appropriation to the department of natural
34 24 resources for a plasma arc technology grant, being deemed of
34 25 immediate importance, takes effect upon enactment.

Section 42 related to the FY 2007 supplemental appropriation to the DNR for the plasma arc feasibility study takes effect on enactment.

34 26 Sec. 67. EFFECTIVE DATE. The section of this division of
34 27 this Act amending section 256D.9, being deemed of immediate
34 28 importance, takes effect upon enactment.

Section 61 related to the Early Intervention Block Grant takes effect on enactment.

34 29 Sec. 68. EFFECTIVE DATE. The section of this division of
34 30 this Act amending 2006 Iowa Acts, chapter 1177, being deemed

Section 44 related to the nonreversion of funds to the Department of Management for performance audits takes effect on enactment.

34 31 of immediate importance, takes effect upon enactment.

34 32 Sec. 69. EFFECTIVE DATE. The section of this division of
 34 33 this Act amending 2006 Iowa Acts, chapter 1180, section 5,
 34 34 being deemed of immediate importance, takes effect upon
 34 35 enactment.

Section 45 related to the nonreversion of funds to the Department of Cultural Affairs takes effect on enactment.

35 1 DIVISION V
 35 2 APPROPRIATION ADJUSTMENTS

35 3 Sec. 70. VETERANS HOME OWNERSHIP ASSISTANCE PROGRAM.

35 4 1. There is appropriated from the rebuild Iowa
 35 5 infrastructure fund to the department of veterans affairs for
 35 6 the fiscal year beginning July 1, 2007, and ending June 30,
 35 7 2008, the following amount, or so much thereof as is
 35 8 necessary, to be used for the purpose designated:
 35 9 For transfer to the Iowa finance authority to be used for
 35 10 continuation of the home ownership assistance program for
 35 11 persons who are or were eligible members of the armed forces
 35 12 of the United States, in accordance with section 35A.15, as
 35 13 enacted by 2007 Iowa Acts, Senate File 407, notwithstanding
 35 14 section 8.57, subsection 6, paragraph "c":
 35 15 \$ 1,000,000

Rebuild Iowa Infrastructure Fund (RIIF) appropriation to the Department of Veterans Affairs for transfer to the Iowa Finance Authority to continue the home ownership assistance program for military veterans.

35 16 2. Of the funds transferred pursuant to this section, the
 35 17 Iowa finance authority may retain not more than \$20,000 for
 35 18 administrative purposes.

Permits the Iowa Finance Authority to retain up to \$20,000 for administrative purposes.

35 19 3. Of the amount transferred to the Iowa finance authority
 35 20 pursuant to this section, not more than \$50,000 shall be
 35 21 transferred to the department of public defense to be used for
 35 22 the enduring families program.

Transfers up to \$50,000 to the Department of Public Defense for the Enduring Families Program.

35 23 4. Notwithstanding section 8.33, moneys appropriated or

CODE: Requires nonreversion of funds.

35 24 transferred in this section that remain unencumbered or
35 25 unobligated at the close of the fiscal year shall not revert
35 26 but shall remain available for expenditure for the purposes
35 27 designated until the close of the succeeding fiscal year.

35 28 Sec. 71. 2007 Iowa Acts, Senate File 562, section 3,
35 29 subsection 3, paragraphs a and d, if enacted, are amended to
35 30 read as follows:
35 31 a. Community development programs
35 32 For salaries, support, maintenance, miscellaneous purposes,
35 33 community economic development programs, tourism operations,
35 34 community assistance, the mainstreet and rural mainstreet
35 35 programs, the school-to-career program, the community
36 1 development block grant, and housing and shelter-related
36 2 programs and for not more than the following full-time
36 3 equivalent positions:
36 4 \$ ~~6,422,654~~
36 5 6,322,654
36 6 FTEs 58.26
36 7 d. From the moneys appropriated in this subsection, the
36 8 department shall use at least ~~\$1,046,000~~ \$946,000 for purposes
36 9 of the mainstreet and rural mainstreet programs.

CODE: Decreases the General Fund appropriation to the Department of Economic Development for the Community Development Program by \$100,000 and reduces the funding earmarked for the Mainstreet Program by the same amount.

36 10 Sec. 72. 2007 Iowa Acts, Senate File 562, section 3,
36 11 subsection 4, unnumbered paragraph 1, if enacted, is amended
36 12 to read as follows:
36 13 For allocating moneys for the world food prize:
36 14 \$ ~~650,000~~
36 15 450,000

CODE: Decreases the General Fund appropriation to the Department of Economic Development for the World Food Prize by \$200,000 for FY 2008.

36 16 Sec. 73. 2007 Iowa Acts, Senate File 562, section 14,
36 17 subsections 1 and 3, if enacted, are amended to read as
36 18 follows:
36 19 1. There is appropriated from the general fund of the
36 20 state to the university of northern Iowa for the fiscal year

CODE: Decreases the General Fund appropriation to the University of Northern Iowa by \$100,000 and reduces the funds earmarked for the myenternet internet application by the same amount, leaving \$200,000 for this purpose.

36 21 beginning July 1, 2007, and ending June 30, 2008, the
 36 22 following amount, or so much thereof as is necessary, to be
 36 23 used for the metal casting institute, for the myentrenet
 36 24 internet application, and for the institute of decision
 36 25 making, including salaries, support, maintenance,
 36 26 miscellaneous purposes, and for not more than the following
 36 27 full-time equivalent positions:

36 28 \$ ~~661,291~~
 36 29 561,291
 36 30 FTEs 6.75

36 31 3. From the moneys appropriated in this section, the
 36 32 university of northern iowa shall use at least ~~\$300,000~~
 36 33 \$200,000 for purposes of expanding the service area of the
 36 34 myentrenet internet application.

36 35 Sec. 74. 2007 Iowa Acts, Senate File 575, section 4,
 37 1 subsection 1, paragraph b, unnumbered paragraph 1, if enacted,
 37 2 is amended to read as follows:
 37 3 For educational programs for inmates at state penal
 37 4 institutions:

37 5 \$ ~~2,070,358~~
 37 6 1,570,350

CODE: Decreases the General Fund appropriation in SF 575 (Justice System Appropriations Bill) to the Department of Corrections for inmate educational programs by \$500,000.

37 7 Sec. 75. 2007 Iowa Acts, Senate File 575, section 5,
 37 8 subsection 1, paragraph f, unnumbered paragraph 1, if enacted,
 37 9 is amended to read as follows:

37 10 For the sixth judicial district department of correctional
 37 11 services:

37 12 \$ ~~12,203,009~~
 37 13 12,003,009

CODE: Decreases the General Fund appropriation in SF 575 (Justice System Appropriations Bill) to the Department of Corrections for the Sixth Judicial District (Community-Based Corrections) by \$200,000.

37 14 Sec. 76. 2007 Iowa Acts, House File 874, section 19,
 37 15 subsection 1, if enacted, is amended to read as follows:

37 16 1. ADMINISTRATION AND ELECTIONS

37 17 For salaries, support, maintenance, and miscellaneous

CODE: Decreases the General Fund appropriation in HF 874 (Administration and Regulation Appropriations Bill) to the Secretary of State for Administration and Elections by \$100,000 for FY 2008.

37 18 purposes, and for not more than the following full-time
 37 19 equivalent positions:
 37 20 \$ 4,431,015
 37 21 1,331,015
 37 22 FTEs 17.00
 37 23 The state department or state agency which provides data
 37 24 processing services to support voter registration file
 37 25 maintenance and storage shall provide those services without
 37 26 charge.

37 27 DIVISION VI
 37 28 MISCELLANEOUS STATUTORY CHANGES

37 29 Sec. 77. Section 7E.7, subsection 1, Code 2007, is amended
 37 30 to read as follows:
 37 31 1. ~~The Iowa finance authority and the Iowa economic~~
 37 32 ~~protective and investment authority shall be considered parts~~
 37 33 ~~part~~ of the Iowa department of economic development. The Iowa
 37 34 department of economic development may provide staff
 37 35 assistance and administrative support to the ~~authorities~~
 38 1 authority.

CODE: Removes the Iowa Finance Authority from the Department of Economic Development.

38 2 Sec. 78. Section 7E.7, subsection 2, Code 2007, is amended
 38 3 by striking the subsection.

CODE: Strikes the subsection that establishes the Agricultural Development Authority as part of the Treasurer of State.

38 4 Sec. 79. Section 8A.311, Code 2007, is amended by adding
 38 5 the following new subsection:
 38 6 NEW SUBSECTION. 21. a. The director may authorize the
 38 7 procurement of goods and services in which a contractual
 38 8 limitation of vendor liability is provided for and set forth
 38 9 in the documents initiating the procurement. The director, in
 38 10 consultation with the department of management, shall adopt
 38 11 rules setting forth the circumstances in which such
 38 12 procurement will be permitted and what types of contractual
 38 13 limitations of liability are permitted. Rules adopted by the

CODE: Permits the Director of the Department of Administrative Services (DAS) to purchase goods and services when a limitation of vendor liability is provided. Requires DAS to consult with the Department of Management to adopt rules identifying the circumstances when purchases would be permitted. Specifies the criteria to be considered in the development of rules.

38 14 director shall establish criteria to be considered in making a
38 15 determination of whether to permit a contractual limitation of
38 16 vendor liability with regard to any procurement of goods and
38 17 services. The criteria, at a minimum, shall include all of
38 18 the following:

38 19 (1) Whether authorizing a contractual limitation of vendor
38 20 liability is necessary to prevent harm to the state from a
38 21 failure to obtain the goods or services sought, or from
38 22 obtaining the goods or services at a higher price if the state
38 23 refuses to allow a contractual limitation of vendor liability.

38 24 (2) Whether the contractual limitation of vendor liability
38 25 is commercially reasonable when taking into account any risk
38 26 to the state created by the goods or services to be procured
38 27 and the purpose for which they will be used.

38 28 b. Notwithstanding paragraph "a", a contractual limitation
38 29 of vendor liability shall not include any limitation on the
38 30 liability of any vendor for intentional torts, criminal acts,
38 31 or fraudulent conduct.

38 32 c. The rules shall provide for the negotiation of a
38 33 contractual limitation of vendor liability consistent with the
38 34 requirements of this section and any other requirements of the
38 35 department as provided in any related documents associated
39 1 with a procurement of goods and services.

39 2 Sec. 80. Section 8A.363, subsection 1, Code 2007, is
39 3 amended to read as follows:

39 4 1. A state officer or employee shall not use a state-owned
39 5 motor vehicle for personal private use. A state officer or
39 6 employee shall not be compensated for driving a privately
39 7 owned motor vehicle unless it is done on state business with
39 8 the approval of the director. In that case the state officer
39 9 or employee shall receive an amount to be determined by the
39 10 director. The amount shall ~~not exceed~~ be not less than ninety
39 11 percent of the maximum or not more than one hundred ten
39 12 percent of the maximum allowable under the federal internal
39 13 revenue service rules per mile, notwithstanding established
39 14 mileage requirements or depreciation allowances. However, the

CODE: Requires the reimbursement for use of personal vehicles while on State business to fall within a range of not less than 90.00% or more than 110.00% of the maximum allowable under the federal Internal Revenue Service rules.

39 15 director may authorize private motor vehicle rates in excess
 39 16 of one hundred ten percent of the rate allowed under the
 39 17 federal internal revenue service rules for state business use
 39 18 of substantially modified or specially equipped privately
 39 19 owned vehicles required by persons with disabilities. A
 39 20 statutory provision establishing reimbursement for necessary
 39 21 mileage, travel, or actual expenses to a state officer falls
 39 22 under the private motor vehicle mileage rate limitation
 39 23 provided in this section unless specifically provided
 39 24 otherwise. Any peace officer employed by the state as defined
 39 25 in section 801.4 who is required to use a private motor
 39 26 vehicle in the performance of official duties shall receive
 39 27 the private vehicle mileage rate at the rate provided in this
 39 28 section. However, the director may delegate authority to
 39 29 officials of the state, and department heads, for the use of
 39 30 private vehicles on state business up to a yearly mileage
 39 31 figure established by the director. If a state motor vehicle
 39 32 has been assigned to a state officer or employee, the officer
 39 33 or employee shall not collect mileage for the use of a
 39 34 privately owned motor vehicle unless the state motor vehicle
 39 35 assigned is not useable.

40 1 Sec. 81. Section 15F.303, subsection 3, paragraph b, Code
 40 2 2007, is amended to read as follows:
 40 3 b. The project supports or is strategically aligned with
 40 4 other existing regional or statewide cultural, recreational,
 40 5 entertainment, or educational activities or with communities
 40 6 adjacent to cultural and entertainment districts whose
 40 7 existing or planned amenity base will augment or complement
 40 8 the cultural and entertainment venues of such districts.

CODE: Expands eligibility for Vision Iowa grants to communities adjacent to cultural and entertainment districts and whose improvement would augment the district.

40 9 Sec. 82. Section 15I.3, subsection 4, Code 2007, is
 40 10 amended to read as follows:
 40 11 4. The total amount of tax credit certificates that may be
 40 12 issued for a fiscal year under this chapter shall not exceed
 40 13 ten million dollars for the fiscal years beginning before July

CODE: Decreases the total amount of Wage-Benefit Program tax credits that may be awarded each fiscal year from the current \$10,000,000 to \$4,000,000. The change is effective in FY 2008. The credit limit for FY 2007 remains at \$10,000,000.

40 14 1, 2007, and shall not exceed four million dollars for fiscal
40 15 years beginning on or after July 1, 2007. The department
40 16 shall establish by rule the procedures for the application,
40 17 review, selection, awarding of certificates, and the method to
40 18 be used to determine for which fiscal year the tax credits are
40 19 available. If the approved tax credits exceed the maximum
40 20 amount for a fiscal year, tax credit certificates shall be
40 21 issued on an earliest date applied basis.

FISCAL IMPACT: Decreasing the maximum allowed credits under the Wage-Benefit Program will increase net General Fund revenue by \$6,000,000 million per year, beginning in FY 2008.

40 22 Sec. 83. Section 28D.3, subsection 4, Code 2007, is
40 23 amended to read as follows:
40 24 4. Persons employed by the department of natural
40 25 resources, department of administrative services, and the Iowa
40 26 communications network under this chapter are not subject to
40 27 the twenty-four-month time limitation specified in subsection
40 28 2.

CODE: Specifies that persons employed by the Department of Administrative Services and the Iowa Communications Network are not subject to the twenty-four month time limitation as interchange employees.

40 29 Sec. 84. Section 85.66, Code 2007, is amended to read as
40 30 follows:
40 31 85.66 SECOND INJURY FUND -- CREATION -- CUSTODIAN.
40 32 The "Second Injury Fund" is hereby established under the
40 33 custody of the treasurer of state and shall consist of
40 34 payments to the fund as provided by this division and any
40 35 accumulated interest and earnings on moneys in the second
41 1 injury fund. The treasurer of state is charged with the
41 2 conservation of the assets of the second injury fund. Moneys
41 3 collected in the "Second Injury Fund" shall be disbursed only
41 4 for the purposes stated in this division, and shall not at any
41 5 time be appropriated or diverted to any other use or purpose.
41 6 The treasurer of state shall invest any surplus moneys of the
41 7 fund in securities which constitute legal investments for
41 8 state funds under the laws of this state, and may sell any of
41 9 the securities in which the fund is invested, if necessary,
41 10 for the proper administration or in the best interests of the
41 11 fund. Disbursements from the fund shall be paid by the
41 12 treasurer of state only upon the written order of the workers'

CODE: Requires the Office of the Attorney General to be reimbursed up to \$150,000 annually from the Second Injury Fund.

DETAIL: This is an increase of \$100,000 compared to the estimated FY 2007 reimbursement.

41 13 compensation commissioner. The attorney general shall be
41 14 reimbursed up to one hundred fifty thousand dollars annually
41 15 from the fund for services provided related to the fund. The
41 16 treasurer of state shall quarterly prepare a statement of the
41 17 fund, setting forth the balance of moneys in the fund, the
41 18 income of the fund, specifying the source of all income, the
41 19 payments out of the fund, specifying the various items of
41 20 payments, and setting forth the balance of the fund remaining
41 21 to its credit. The statement shall be open to public
41 22 inspection in the office of the treasurer of state.

41 23 Sec. 85. Section 85.67, Code 2007, is amended to read as
41 24 follows:
41 25 85.67 ADMINISTRATION OF FUND -- SPECIAL COUNSEL -- PAYMENT
41 26 OF AWARD.

41 27 The attorney general shall appoint a staff member to
41 28 represent the treasurer of state and the fund in all
41 29 proceedings and matters arising under this division. The
41 30 attorney general shall be reimbursed up to one hundred fifty
41 31 thousand dollars annually from the fund for services provided
41 32 related to the fund. The commissioner of insurance shall
41 33 consider the reimbursement to the attorney general as an
41 34 outstanding liability when making a determination of funding
41 35 availability under section 85.65A, subsection 2. In making an
42 1 award under this division, the workers' compensation
42 2 commissioner shall specifically find the amount the injured
42 3 employee shall be paid weekly, the number of weeks of
42 4 compensation which shall be paid by the employer, the date
42 5 upon which payments out of the fund shall begin, and, if
42 6 possible, the length of time the payments shall continue.

42 7 Sec. 86. Section 99F.4, subsection 24, Code 2007, is
42 8 amended to read as follows:
42 9 24. To conduct a socioeconomic study on the impact of
42 10 gambling on lowans, every eight years beginning in calendar
42 11 year ~~2008~~ 2013, and issue a report on that study. The

CODE: Conforming amendment to the statutory change in Section 84 that requires the Office of the Attorney General to be reimbursed up to \$150,000 from the Second Injury Fund.

CODE: Delays the next socioeconomic study of the impact of gambling on lowans to be conducted by the State Racing and Gaming Commission from calendar year 2008 to 2013.

42 12 commission shall ensure that the results of each study are
42 13 readily accessible to the public.

42 14 Sec. 87. Section 99F.11, subsection 3, paragraph e,
42 15 subparagraph (3), as enacted by 2006 Iowa Acts, chapter 1151,
42 16 subsection 6, is amended to read as follows:

42 17 (3) One-half of the moneys remaining after the
42 18 appropriation in subparagraph (1) shall be credited, on a
42 19 quarterly basis, to the general fund of the state for the
42 20 purpose of funding the endow Iowa tax credit provided in
42 21 section 15E.305.

CODE: Provides for quarterly transfers of certain wagering tax receipts to reimburse the State General Fund for Endow Iowa Tax Credits. This change conforms the transfer provisions to similar changes made in SF 302 (Regional Tourism 2007 Marketing Act).

42 22 Sec. 88. Section 135.105D, subsection 1A, as enacted by
42 23 2007 Iowa Acts, House File 158, section 2, is amended by
42 24 adding the following new paragraph:

42 25 NEW PARAGRAPH. d. Notwithstanding any other provision to
42 26 the contrary, nothing in this section shall subject a parent,
42 27 guardian, or legal custodian of a child of compulsory
42 28 attendance age to any penalties under chapter 299.

CODE: Specifies that parents, guardians, and legal custodians are not subject to compulsory attendance penalties resulting from the lead blood test requirements in HF 158 (Lead Testing of Children Bill).

42 29 Sec. 89. Section 175.3, subsection 1, paragraph a, Code
42 30 2007, is amended to read as follows:

42 31 a. The agricultural development authority is ~~established~~
42 32 ~~within the office of treasurer of state. The authority is~~
42 33 constituted as a public instrumentality and agency of the
42 34 state exercising public and essential governmental functions.

CODE: Removes the Agricultural Development Authority from the Office of the Treasurer of State.

42 35 Sec. 90. Section 175.3, subsection 7, Code 2007, is
43 1 amended to read as follows:

43 2 7. The appointed members shall elect a chairperson and
43 3 vice chairperson annually, and other officers as they
43 4 determine, but the executive director shall serve as secretary
43 5 to the authority. ~~The chairperson and vice chairperson shall~~
43 6 ~~serve on the selection and tenure committee as provided in~~
43 7 ~~section 175.7.~~

CODE: Removes the Chairperson and the Vice-Chairperson from the Selection and Tenure Committee of the Agricultural Development Authority.

43 8 Sec. 91. Section 175.7, subsection 1, Code 2007, is
43 9 amended by striking the subsection and inserting in lieu
43 10 thereof the following:

43 11 1. The governor, subject to confirmation by the senate,
43 12 shall appoint an executive director of the authority, who
43 13 shall serve at the pleasure of the governor. The executive
43 14 director shall be selected primarily for administrative
43 15 ability and knowledge in the field, without regard to
43 16 political affiliation.

CODE: Permits the Governor to appoint the Executive Director of the Agricultural Development Authority based on administrative skills without regard to political affiliation.

43 17 Sec. 92. Section 175.8, Code 2007, is amended by adding
43 18 the following new subsection:

43 19 NEW SUBSECTION. 3. For fiscal years beginning on or after
43 20 July 1, 2007, the auditor of state shall conduct an annual
43 21 audit of the agricultural development authority to be paid
43 22 from resources of the authority notwithstanding any other
43 23 audit conducted on behalf of the authority's board of
43 24 directors. The auditor of state may acquire the services of
43 25 an outside audit firm, if necessary, to conduct the audit as
43 26 required in this subsection.

CODE: Requires the Auditor of State to conduct annual audits of the Agricultural Development Authority beginning with FY 2008. The cost of the audits are to be paid from resources of the Authority.

43 27 Sec. 93. NEW SECTION. 190A.1 FARM-TO-SCHOOL PROGRAM.

43 28 A farm-to-school program is established to encourage and
43 29 promote the purchase of locally and regionally produced or
43 30 processed food in order to improve child nutrition and
43 31 strengthen local and regional farm economies.

CODE: Creates a Farm-to-School Program that encourages and promotes the purchase of locally-grown or regionally-produced food for Iowa school children.

43 32 Sec. 94. NEW SECTION. 190A.2 FARM-TO-SCHOOL COUNCIL.

43 33 1. A farm-to-school council is established and made up of
43 34 seven members representing the following associations or state
43 35 departments:

44 1 a. One member representing the Iowa school nutrition
44 2 association.

44 3 b. One member representing the Iowa association for
44 4 health, physical education, recreation and dance with

CODE: Creates a Farm-to-School Council and specifies the membership.

44 5 expertise in health.
44 6 c. One Iowa fruit or vegetable producer.
44 7 d. One Iowa organic meat producer.
44 8 e. The director of the Leopold center or the director's
44 9 designee.
44 10 f. The director of the department of agriculture and land
44 11 stewardship or the director's designee.
44 12 g. The director of the department of education or the
44 13 director's designee.
44 14 2. The members listed under subsection 1, paragraphs "a"
44 15 through "d", shall be selected by the governor without senate
44 16 confirmation and shall serve at the pleasure of the governor.

44 17 Sec. 95. NEW SECTION. 190A.3 GOALS AND STRATEGIES.

44 18 1. The program seeks to link elementary and secondary
44 19 public and nonpublic schools in this state with Iowa farms to
44 20 provide schools with fresh and minimally processed food for
44 21 inclusion in school meals and snacks, encourages children to
44 22 develop healthy eating habits, and provide Iowa farmers access
44 23 to consumer markets.

44 24 2. The farm-to-school program may include activities that
44 25 provide students with hands-on learning opportunities, such as
44 26 farm visits, cooking demonstrations, and school gardening and
44 27 composting programs.

44 28 3. The farm-to-school council shall seek to establish
44 29 partnerships with public agencies and nonprofit organizations
44 30 to implement a structure to facilitate communication between
44 31 farmers and schools.

44 32 4. The farm-to-school council shall actively seek
44 33 financial or in-kind contributions from organizations or
44 34 persons to support the program.

CODE: Specifies the goals of the Farm-to-School Council.

44 35 Sec. 96. NEW SECTION. 190A.4 AGENCY COOPERATION.

45 1 The department of agriculture and land stewardship and the
45 2 department of education shall provide information regarding
45 3 the Iowa farm-to-school program in an electronic format on the

CODE: Requires the Department of Agriculture and Land Stewardship and the Department of Education to publish information related to the Farm-to-School Council on their web sites.

45 4 department's internet website.

45 5 Sec. 97. NEW SECTION. 214A.2B LABORATORY FOR MOTOR FUEL
45 6 AND BIOFUELS.

45 7 A laboratory for motor fuel and biofuels is established at
45 8 a merged area school which is engaged in biofuels testing on
45 9 July 1, 2007, and which testing includes but is not limited to
45 10 B20 biodiesel testing for motor trucks and the ability of
45 11 biofuels to meet A.S.T.M. international standards. The
45 12 laboratory shall conduct testing of motor fuel sold in this
45 13 state and biofuel which is blended in motor fuel in this state
45 14 to ensure that the motor fuel or biofuels meet the
45 15 requirements in section 214A.2.

CODE: Establishes a laboratory for motor fuel and biofuels at Iowa Central Community College.

45 16 Sec. 98. Section 216A.121, subsection 3, if enacted by
45 17 2007 Iowa Acts, House File 826, section 1, is amended to read
45 18 as follows:

45 19 3. MEMBERSHIP.

45 20 a. The commission shall consist of ~~twenty-one~~ twenty-two
45 21 members, including ~~seventeen~~ eighteen voting members and four
45 22 nonvoting members.

45 23 (1) The voting members shall be as follows:

45 24 (a) The governor or the governor's designee.

45 25 (b) One member, appointed by the governor, who is an Iowa
45 26 designated representative to the federal Abraham Lincoln
45 27 bicentennial commission governors' council.

45 28 (c) One member appointed by the president of Humanities
45 29 Iowa.

45 30 (d) One member appointed by the director of the department
45 31 of economic development.

45 32 (e) One member appointed by the administrator of the state
45 33 historical society of Iowa.

45 34 (f) One member appointed by the executive director of the
45 35 Iowa arts council.

46 1 (g) One member appointed by the executive director of the

46 2 Iowa museum society.

CODE: Increases the membership of the Abraham Lincoln Bicentennial Commission from twenty-one members to twenty-two members by adding one member appointed by the Executive Director of the Iowa State Association of Counties as a voting member of the Commission.

DETAIL: This provision is contingent on enactment of the Commission in HF 826 (Abraham Lincoln Bicentennial Commission Act).

46 3 (h) One member appointed by the president of the league of
46 4 Iowa human rights agencies.
46 5 (i) One member appointed by the president of the Iowa
46 6 league of cities.
46 7 (ii) One member appointed by the executive director of the
46 8 Iowa state association of counties.
46 9 (j) One member appointed by the director of the department
46 10 of education.
46 11 (k) One member appointed by the chairperson of the state
46 12 board of regents.
46 13 (l) One member appointed by the president of the Iowa
46 14 library board.
46 15 (m) One member appointed by the chairperson of the Iowa
46 16 state chapter of the national association for the advancement
46 17 of colored people.
46 18 (n) Four public members, appointed by the governor, with a
46 19 demonstrated interest in history and substantial knowledge and
46 20 appreciation of Abraham Lincoln.
46 21 (2) The nonvoting members shall be two state
46 22 representatives, one appointed by the speaker of the house of
46 23 representatives and one by the minority leader of the house,
46 24 and two state senators, one appointed by the majority leader
46 25 of the senate and one by the minority leader of the senate.
46 26 b. ~~Nine~~ Ten voting members of the board shall constitute a
46 27 quorum. Persons making appointments shall consult with one
46 28 another to ensure that the commission is balanced by gender,
46 29 political affiliation, and geographic location, and to ensure
46 30 selection of members representing diverse interest groups.
46 31 The provisions of chapters 21 and 22 shall apply to meetings
46 32 and records of the commission.
46 33 c. The commission shall elect a chairperson and vice
46 34 chairperson from the members of the commission. Commission
46 35 members shall serve without compensation, but shall be
47 1 reimbursed for actual and necessary expenses.

47 2 Sec. 99. Section 237A.13, Code 2007, is amended by adding
47 3 the following new subsection:

CODE: Requires the Department of Human Services (DHS) to allow providers to choose between biweekly or monthly billing and payment

47 4 NEW SUBSECTION. 3A. The department's billing and payment
 47 5 provisions for the program shall allow providers to elect
 47 6 either biweekly or monthly billing and payment for child care
 47 7 provided under the program. The department shall remit
 47 8 payment to a provider within ten business days of receiving a
 47 9 bill or claim for services provided. However, if the
 47 10 department determines that a bill has an error or omission,
 47 11 the department shall notify the provider of the error or
 47 12 omission and identify any correction needed before issuance of
 47 13 payment to the provider. The department shall provide the
 47 14 notice within five business days of receiving the billing from
 47 15 the provider and shall remit payment to the provider within
 47 16 ten business days of receiving the corrected billing.

for child care subsidies. Also, requires the DHS to ensure that child care providers receive payment within 10 business days of submitting an invoice for providing care, and sets forth requirements for handling billing omissions or errors.

FISCAL IMPACT: The estimated fiscal impact is an increase in General Fund expenditures of \$358,000 and 9.00 FTE positions for the DHS in FY 2008. The cost may be reduced or eliminated in subsequent fiscal years after the automated computer system is fully implemented. The Department did not receive an additional appropriation for this activity and will absorb the cost within available resources.

47 17 Sec. 100. Section 256C.3, subsection 5, if enacted by 2007
 47 18 Iowa Acts, House File 877, is amended by adding the following
 47 19 new paragraph:
 47 20 NEW PARAGRAPH. d. The state board, in collaboration with
 47 21 the department, shall ensure that the administrative rules
 47 22 adopted to support the preschool program emphasize that
 47 23 children's access to the program is voluntary, that the
 47 24 preschool foundation aid provided to a school district is
 47 25 provided based upon the enrollment of eligible students in the
 47 26 school district's local program regardless of whether an
 47 27 eligible student is a resident of the school district, and
 47 28 that agreements entered into by a school district for the
 47 29 provision of programming in settings other than the school
 47 30 district's facilities are between the school district and the
 47 31 private provider.

CODE: Requires the State Board of Education, in collaboration with the Department of Education, to ensure that the administrative rules for the Voluntary Four-Year-Old Preschool Program emphasize that participation is voluntary, that the Preschool Foundation Aid is based on where the child is enrolled in preschool regardless of the child's school district of residence, and that the agreements for preschool programming outside the school district's facilities are between the school district and the private provider.

47 32 Sec. 101. Section 272.27, Code 2007, is amended to read as
 47 33 follows:
 47 34 272.27 STUDENT TEACHING AND OTHER EDUCATIONAL EXPERIENCES.
 47 35 If the rules adopted by the board of educational examiners
 48 1 for issuance of any type or class of license require an
 48 2 applicant to complete work in student teaching, ~~an accredited~~

CODE: Permits teacher preparation institutions to contract with school districts, accredited or licensed private schools, and education agencies to offer pre-service licensure experiences, including student teaching, prestudent teaching experiences, field experiences, practicums, clinics, and internships.

48 3 college or university located within the state of Iowa and
 48 4 states conterminous with Iowa may offer a program or programs
 48 5 of teacher education approved by the director of the
 48 6 department of education or the appropriate authority in states
 48 7 conterminous with Iowa by entering prestudent teaching
 48 8 experiences, field experiences, practicums, clinicals, or
 48 9 internships, an institution with a practitioner preparation
 48 10 program approved by the state board of education under section
 48 11 256.7, subsection 3, shall enter into a written contract with
 48 12 any accredited school district or private, accredited
 48 13 nonpublic school, preschool registered or licensed by the
 48 14 department of human services, or area education agency in Iowa
 48 15 under terms and conditions as agreed upon by the contracting
 48 16 parties. The terms and conditions of a written contract
 48 17 entered into with a preschool pursuant to this section shall
 48 18 provide that a student teacher be under the direct supervision
 48 19 of an appropriately licensed cooperating teacher who is
 48 20 employed to teach at the preschool. Students actually
 48 21 teaching or engaged in preservice licensure activities in a
 48 22 school district under the terms of such a contract are
 48 23 entitled to the same protection, under section 670.8, as is
 48 24 afforded by that section to officers and employees of the
 48 25 school district, during the time they are so assigned.

48 26 Sec. 102. Section 279.13, subsection 1, paragraph b, if
 48 27 enacted by 2007 Iowa Acts, Senate File 277, section 11, is
 48 28 amended to read as follows:
 48 29 b. (1) Prior to entering into an initial contract with a
 48 30 teacher who holds a license other than an initial license
 48 31 issued by the board of educational examiners under chapter
 48 32 272, the school district shall either request the division of
 48 33 criminal investigation of the department of public safety to
 48 34 conduct a background investigation of the applicant or request
 48 35 a qualified background screening company accredited by the
 49 1 national association of professional background check
 49 2 screeners to conduct a background check on the applicant. The
 49 3 (2) If the school district submits a request to the

CODE: Permits school districts to use a nationally accredited background screening company to perform a background check prior to entering into an initial contract with a teacher that holds a license other than a license issued by the Board of Educational Examiners. Specifies criteria that must be checked.

49 4 division of criminal investigation pursuant to subparagraph
49 5 (1), the school district shall require the teacher to submit a
49 6 completed fingerprint packet, which shall be used to
49 7 facilitate a national criminal history check. The school
49 8 district shall submit the packet to the division of criminal
49 9 investigation of the department of public safety which shall
49 10 conduct a thorough background investigation of the teacher.
49 11 The superintendent of a school district or the
49 12 superintendent's designee shall have access to and shall
49 13 review the sex offender registry information under section
49 14 692A.13, the central registry for child abuse information
49 15 established under section 235A.14, and the central registry
49 16 for dependent adult abuse information established under
49 17 section 235B.5 for information regarding applicants for
49 18 employment as a teacher.
49 19 (3) If the school district submits a request to a
49 20 qualified background screening company pursuant to
49 21 subparagraph (1), the background check shall include a
49 22 national criminal history check, a review of the sex offender
49 23 registry information under section 692A.13, the central
49 24 registry for child abuse information established under section
49 25 235A.14 as the superintendent's designee under section
49 26 235A.15, and the central registry for dependent adult abuse
49 27 information established under section 235B.5 as the
49 28 superintendent's designee under section 235B.6 for information
49 29 regarding applicants for employment as a teacher.
49 30 (4) The school district may charge the teacher a fee for
49 31 the background investigation, which shall not exceed the fee
49 32 charged by the division of criminal investigation for
49 33 conducting the background investigation.

49 34 Sec. 103. Section 284.13, subsection 1, paragraph d, as
49 35 amended by 2007 Iowa Acts, Senate File 277, section 37, if
50 1 enacted, is amended to read as follows:
50 2 d. (1) For the fiscal year beginning July 1, 2007, and
50 3 ending June 30, 2008, up to twenty million dollars to the
50 4 department for use by school districts for professional

CODE: Specifies a formula for allocating professional development fund to Area Education Agency (AEA) staff included in the Student Achievement and Teacher Quality Program.

50 5 development as provided in section 284.6. The department
50 6 shall distribute funds allocated for the purpose of this
50 7 paragraph based on the average per diem contract salary for
50 8 each district as reported to the department for the school
50 9 year beginning July 1, 2006, multiplied by the total number of
50 10 full-time equivalent teachers in the base year. The
50 11 department shall adjust each district's average per diem
50 12 salary by the allowable growth rate established under section
50 13 257.8 for the fiscal year beginning July 1, 2007. The
50 14 contract salary amount shall be the amount paid for their
50 15 regular responsibilities but shall not include pay for
50 16 extracurricular activities. These funds shall not supplant
50 17 existing funding for professional development activities.
50 18 Notwithstanding any provision to the contrary, moneys received
50 19 by a school district under this paragraph shall not revert but
50 20 shall remain available for the same purpose in the succeeding
50 21 fiscal year. A school district shall submit a report to the
50 22 department in a manner determined by the department describing
50 23 its use of the funds received under this paragraph. The
50 24 department shall submit a report on school district use of the
50 25 moneys distributed pursuant to this paragraph to the general
50 26 assembly and the legislative services agency not later than
50 27 January 15 of the fiscal year for which moneys are allocated
50 28 for purposes of this paragraph.

50 29 (2) From moneys available under subparagraph (1) for the
50 30 fiscal year beginning July 1, 2007, and ending June 30, 2008,
50 31 the department shall allocate to area education agencies an
50 32 amount per teacher employed by an area education agency that
50 33 is approximately equivalent to the average per teacher amount
50 34 allocated to the districts. The average per teacher amount
50 35 shall be calculated by dividing the total number of teachers
51 1 employed by school districts and the teachers employed by area
51 2 education agencies into the total amount of moneys available
51 3 under subparagraph (1).

51 4 Sec. 104. Section 303.1, Code 2007, is amended by adding
51 5 the following new subsection:

CODE: Permits the Department of Cultural Affairs to develop and
implement fee-based educational programming.

51 6 NEW SUBSECTION. 7. The department may develop and
 51 7 implement fee-based educational programming opportunities,
 51 8 including preschool programs, related to arts, history, and
 51 9 other cultural matters for lowans of all ages.

51 10 Sec. 105. Section 321.20B, subsection 2, paragraph b, Code
 51 11 2007, is amended to read as follows:

51 12 b. ~~The insurance division and the department, as~~
 51 13 ~~appropriate,~~ shall adopt rules regarding the contents of a
 51 14 financial liability coverage card to be issued pursuant to
 51 15 this section.

51 16 (1) Notwithstanding the provisions of this section, a
 51 17 fleet owner who is issued a certificate of self-insurance
 51 18 pursuant to section 321A.34, subsection 1, is not required to
 51 19 maintain in each vehicle a financial liability coverage card
 51 20 with the individual registration number or the vehicle
 51 21 identification number of the vehicle included on the card.
 51 22 Such fleet owner shall be required to maintain a financial
 51 23 liability coverage card in each vehicle in the fleet including
 51 24 information deemed appropriate by the ~~commissioner of~~
 51 25 ~~insurance or the director, as applicable.~~

51 26 (2) An association of individual members that is issued a
 51 27 certificate of self-insurance pursuant to section 321A.34,
 51 28 subsection 2, is required to maintain in each vehicle of an
 51 29 individual member a financial liability coverage card that
 51 30 complies with the provisions of this section and in addition
 51 31 contains information relating to the association and the
 51 32 association's certificate of self-insurance as is deemed
 51 33 appropriate by the director.

51 34 Sec. 106. Section 321.34, subsection 8, Code 2007, as
 51 35 amended by 2007 Iowa Acts, House File 749, if enacted, is
 52 1 amended to read as follows:

52 2 8. MEDAL OF HONOR PLATES. The owner of a motor vehicle
 52 3 subject to registration under section 321.109, subsection 1,
 52 4 motorcycle, trailer, or motor truck who has been awarded the

CODE: Requires members of a self-insured association to carry financial liability cards and permits the association to act as a legal entity. Permits the Department of Transportation to issue certificates of self-insurance.

CODE: Exempts a person issued a Medal of Honor license plate from paying a special plate fee and annual vehicle registration fee.

DETAIL: Under current law, and HF 749 (Military License Plate Bill), Medal of Honor license plates are issued at no charge but recipients are required to pay an annual vehicle registration fee of \$15. This Section eliminates the \$15 annual fee.

52 5 medal of honor may, upon written application to the
 52 6 department, order special registration plates which shall be
 52 7 red, white, and blue in color and shall bear an emblem of the
 52 8 medal of honor and an identifying number. Each applicant
 52 9 applying for special registration plates under this subsection
 52 10 may ~~purchase~~ order only one set of registration plates under
 52 11 this subsection. The application is subject to approval by
 52 12 the department and the special registration plates shall be
 52 13 issued at no charge to the applicant in exchange for the
 52 14 registration plates previously issued to the person. ~~The~~
 52 15 ~~special plates are subject to an annual registration fee of~~
 52 16 ~~fifteen dollars. A person who is issued special plates under~~
 52 17 this subsection is exempt from payment of any annual
 52 18 registration fee for the motor vehicle bearing the special
 52 19 plates. The department shall validate the special plates in
 52 20 the same manner as regular registration plates are validated
 52 21 under this section. The department shall not issue special
 52 22 registration plates until service organizations in the state
 52 23 have furnished the department either the special dies or the
 52 24 cost of the special dies necessary for the manufacture of the
 52 25 special registration plate.

52 26 The surviving spouse of a person who was issued special
 52 27 plates under this subsection may continue to use the special
 52 28 plates subject to registration of the special plates in the
 52 29 surviving spouse's name ~~and upon payment of the fifteen dollar~~
 52 30 ~~annual registration fee.~~ If the surviving spouse remarries,
 52 31 the surviving spouse shall return the special plates to the
 52 32 department and the department shall issue regular registration
 52 33 plates to the surviving spouse.

52 34 Sec. 107. Section 321.34, subsection 12A, Code 2007, as
 52 35 amended by 2007 Iowa Acts, House File 749, if enacted, is
 53 1 amended by striking the subsection and inserting in lieu
 53 2 thereof the following:
 53 3 12A. SPECIAL REGISTRATION PLATES -- ARMED FORCES SERVICES.

CODE: Permits the surviving spouse of a person issued a Medal of Honor license plate to continue to use the plate in the surviving spouse's name and remain exempt from the \$15.00 annual vehicle registration fee.

CODE: Permits a person that has been issued an Ex-Prisoner of War or Legion of Merit license plate to exchange the plate for any U.S. Armed Forces plate at no charge, with the exception of payment of the \$15 annual vehicle registration fee.

53 4 a. An owner of a vehicle referred to in subsection 12 who
53 5 applies for any type of special registration plates associated
53 6 with service in the United States armed forces shall be issued
53 7 one set of the special registration plates at no charge, but
53 8 shall be subject to the annual registration fee of fifteen
53 9 dollars, if the owner is eligible for, but has relinquished to
53 10 the department or the county treasurer or has not been issued,
53 11 ex-prisoner of war or legion of merit special registration
53 12 plates under this section.

DETAIL: This Section is amended to simplify existing language and, therefore, does not reflect a change regarding issuance or fees compared to current law and HF 749 (Military License Plates Bill).

53 13 b. An owner of a vehicle referred to in subsection 12 who
53 14 applies for any type of special registration plates associated
53 15 with service in the United States armed forces shall be issued
53 16 one set of the special registration plates at no charge and
53 17 subject to no annual registration fee if the owner is eligible
53 18 for, but has relinquished to the department or the county
53 19 treasurer or has not been issued, medal of honor registration
53 20 plates under subsection 8 or disabled veteran registration
53 21 plates under section 321.105.

CODE: Permits a person that has been issued a Medal of Honor or Disabled Veteran license plate to exchange the plate for any U.S. Armed Forces plate at no charge and remain exempt from the annual \$15.00 vehicle registration fee.

DETAIL: This Section is amended to combine Medal of Honor and Disabled Veteran plates. Under current law, disabled veterans are already exempt from paying the \$15.00 annual fee.

53 22 c. The owner shall provide the appropriate information
53 23 regarding the owner's eligibility for any of the special
53 24 registration plates described in paragraph "a" or "b", and
53 25 regarding the owner's eligibility for the special registration
53 26 plates for which the owner has applied, as required by the
53 27 department.

CODE: Requires persons applying for a Medal of Honor, Ex-Prisoner of War, Legion of Merit, or Disabled Veteran plate to provide proof of eligibility.

DETAIL: Simplifies existing language but does not reflect a change regarding proof of eligibility compared to current law and HF 749 (Military License Plates Bill).

53 28 d. The surviving spouse of a person who was issued special
53 29 plates under this subsection may continue to use the special
53 30 plates subject to registration of the special plates in the
53 31 surviving spouse's name and upon payment of the same annual
53 32 registration fee, if applicable. If the surviving spouse
53 33 remarries, the surviving spouse shall return the special
53 34 plates to the department and the department shall issue
53 35 regular registration plates to the surviving spouse.

CODE: Permits the surviving spouse of a person issued a Medal of Honor, Ex-Prisoner or War, Legion of Merit, or Disabled Veteran license plate to continue to use the plate in the surviving spouse's name and upon payment of the same annual registration fee, if applicable. If the surviving spouse remarries, the surviving spouse is to return the special plates to the DOT.

54 1 Sec. 108. Section 321A.34, subsections 1 and 2, Code 2007,
 54 2 are amended to read as follows:
 54 3 1. a. Any person in whose name more than twenty-five
 54 4 motor vehicles are registered may qualify as a self-insurer by
 54 5 obtaining a certificate of self-insurance issued by the
 54 6 department as provided in ~~subsection 2 of this section~~
 54 7 paragraph "b".
 54 8 ~~2. b.~~ The department may, upon the application of such a
 54 9 person, issue a certificate of self-insurance if the
 54 10 department is satisfied that the person has and will continue
 54 11 to have the ability to pay judgments obtained against the
 54 12 person for damages arising out of the ownership, maintenance,
 54 13 or use of any vehicle owned by the person. A person issued a
 54 14 certificate of self-insurance pursuant to this ~~section~~
 54 15 subsection shall maintain a financial liability coverage card
 54 16 as provided in section 321.20B, subsection 2, paragraph "b",
 54 17 subparagraph (1).
 54 18 2. a. Any association of individual members that is a
 54 19 legal entity with the power to sue and be sued in its own name
 54 20 and which is composed of individual members in whose names a
 54 21 total of more than twenty-five motor vehicles are registered,
 54 22 may qualify as a self-insurer by obtaining a certificate of
 54 23 insurance issued by the department as provided in paragraph
 54 24 "b".
 54 25 b. The department may, upon the application of such an
 54 26 association, issue a certificate of self-insurance if the
 54 27 department is satisfied that the association has and will
 54 28 continue to have the ability to pay judgments obtained against
 54 29 the association or against an individual member of the
 54 30 association for damages arising out of the ownership,
 54 31 maintenance, or use of any vehicle owned by an individual
 54 32 member of the association. An association issued a
 54 33 certificate of self-insurance pursuant to this paragraph shall
 54 34 maintain a financial liability coverage card as provided in
 54 35 section 321.20B, subsection 2, paragraph "b", subparagraph
 55 1 (2).

CODE: Permits an association of individual members that is a legal entity the power to sue and be sued in its own name. The association must have twenty-five or more vehicles registered to qualify as a self-insurer.

Permits the Department of Transportation to issue certificates of self-insurance if satisfied that the association is able to pay judgments for damages against the association or against individual members of the association.

55 2 Sec. 109. Section 388.2, unnumbered paragraph 2, Code

CODE: Permits a proposal (submitted to the voters by the city

55 3 2007, is amended to read as follows:
 55 4 ~~The~~ Upon the council's own motion, the proposal may be
 55 5 submitted to the voters at ~~any~~ the general election, the
 55 6 regular city election by the council on its own motion, or at
 55 7 a special election called for that purpose. Upon receipt of a
 55 8 valid petition as defined in section 362.4, requesting that a
 55 9 proposal be submitted to the voters, the council shall submit
 55 10 the proposal at the next regular city election.

council's own motion and not by petition) to establish, acquire, lease, dispose of, undertake, or discontinue operation of a city utility; to establish or dissolve a combined utility system; or to establish or discontinue a utility board, to be submitted at either the regular city or general election, or at a special election.

55 11 Sec. 110. Section 388.2, Code 2007, is amended by adding
 55 12 the following new unnumbered paragraph after unnumbered
 55 13 paragraph 2:
 55 14 NEW UNNUMBERED PARAGRAPH. If the special election is to
 55 15 establish a gas or electric utility pursuant to this section,
 55 16 or if such a proposal is to be included on the ballot at the
 55 17 regular city or general election, the mayor or council shall
 55 18 give notice as required by section 376.1 to the county
 55 19 commissioner of elections and to any utility whose property
 55 20 would be affected by such election not less than sixty days
 55 21 before the proposed date of the special, regular city, or
 55 22 general election.

CODE: Specifies that if a special election is held to establish a gas or electric utility pursuant to this Section, or if such a proposal is to be included on the ballot at the regular city or general election, the mayor or city council is required to give notice to the county commissioner of elections and to any utility with property that would be affected by such election, at least 60 days before the proposed date of the regular city or general election, or special election.

55 23 Sec. 111. Section 422.11S, subsection 7, paragraph a,
 55 24 subparagraph (2), Code 2007, is amended to read as follows:
 55 25 (2) "Total approved tax credits" means for the tax year
 55 26 beginning in the 2006 calendar year, two million five hundred
 55 27 thousand dollars, ~~and for the tax years year beginning on or~~
 55 28 ~~after January 1, in the 2007 calendar year, five million~~
 55 29 ~~dollars, and for tax years beginning on or after January 1,~~
 55 30 2008, seven million five hundred thousand dollars.

CODE: Increases the total amount of the School Tuition Organization Tax Credits from \$5,000,000 to \$7,500,000 beginning in calendar year 2008.

55 31 Sec. 112. Section 423.3, subsection 89, Code 2007, is
 55 32 amended to read as follows:
 55 33 89. a. The sales price of all goods, wares, or
 55 34 merchandise sold, or of services furnished, which are used in
 55 35 the fulfillment of a written construction contract for the

CODE: Provides a sales tax exemption for items used in the construction of a regional academy in the fulfillment of a written construction contract for the original construction, modification, or addition of a building to be used as a collaborative facility.

56 1 original construction of a building or structure to be used as
56 2 a collaborative educational facility.

56 3 b. The sales price of all goods, wares, or merchandise
56 4 sold, or of services furnished, which are used in the
56 5 fulfillment of a written construction contract for the
56 6 construction of additions or modifications to a building or
56 7 structure used as part of a collaborative educational
56 8 facility.

56 9 c. To receive the exemption provided in paragraph "a" or
56 10 "b", a collaborative educational facility must meet all of the
56 11 following criteria in paragraph "d" or "e":

56 12 d. (1) The contract for construction of the building or
56 13 structure is entered into on or after April 1, 2003.

56 14 (2) The building or structure is located within the
56 15 corporate limits of a city in the state with a population in
56 16 excess of one hundred ninety-five thousand residents.

56 17 (3) The sole purpose of the building or structure is to
56 18 provide facilities for a collaborative of public and private
56 19 educational institutions that provide education to students.

56 20 (4) The owner of the building or structure is a nonprofit
56 21 corporation governed by chapter 504 or former chapter 504A
56 22 which is exempt from federal income tax pursuant to section
56 23 501(a) of the Internal Revenue Code.

56 24 e. (1) The contract for construction of the building or
56 25 structure is entered into on or after May 15, 2007.

56 26 (2) The sole purpose of the building or structure is to
56 27 provide facilities for a regional academy under a
56 28 collaborative of public and private educational institutions
56 29 that includes a community college established under chapter
56 30 260C that provide education to students.

56 31 (3) The owner of the building or structure is a qualified
56 32 charitable nonprofit corporation governed by chapter 504 or
56 33 former chapter 504A which is exempt from federal income tax
56 34 pursuant to section 501(c)(3) of the Internal Revenue Code.

56 35 f. References to "building" or "structure" in
57 1 subparagraphs (1) through (4) paragraphs "d" and "e" include
57 2 any additions or modifications to the building or structure.

57 3 Sec. 113. Section 452A.3, subsection 1, unnumbered
 57 4 paragraph 1, Code 2007, is amended to read as follows:
 57 5 Except as otherwise provided in this section and in this
 57 6 division, until June 30, ~~2007~~ 2012, this subsection shall
 57 7 apply to the excise tax imposed on each gallon of motor fuel
 57 8 used for any purpose for the privilege of operating motor
 57 9 vehicles in this state.

CODE: Extends the current motor vehicle fuel tax schedule from June 30, 2007, to June 30, 2012.

DETAIL: Under current law, the tax rates for unleaded gasoline and E-10 are adjusted annually based on the number of gallons of ethanol-blended gasoline sold in the State. The tax rates are subject to change each July 1, depending on the percentage of ethanol-blended gasoline sold during the previous calendar year. The tax schedule on which the tax rates are based was implemented on July 1, 2002, and is effective through June 30, 2007. After that date, the excise tax on gasoline would have reverted to 20.0 cents per gallon, and E-10 would have increased from 19.0 to 20.0 cents per gallon.

FISCAL IMPACT: The estimated fiscal impact of extending the current motor fuel tax schedule five years is a decrease to the Road Use Tax Fund for FY 2008 through FY 2012 due to a decrease in fuel taxes of the same amount as follows:

- FY 2008: \$ -7,900,000
- FY 2009: \$ -8,000,000
- FY 2010: \$ -8,500,000
- FY 2011: \$ -5,900,000
- FY 2012: \$ -6,200,000

The fiscal impact is based on the 69.30% market share of ethanol-blended gasoline in CY 2006, increasing by 1.00% each year.

57 10 Sec. 114. Section 452A.3, subsection 1A, Code 2007, is
 57 11 amended to read as follows:
 57 12 1A. Except as otherwise provided in this section and in
 57 13 this division, after June 30, ~~2007~~ 2012, an excise tax of
 57 14 twenty cents is imposed on each gallon of motor fuel used for
 57 15 any purpose for the privilege of operating motor vehicles in
 57 16 this state.

CODE: Extends the date from June 30, 2007, to June 30, 2012, for charging a 20-cents per gallon excise tax on motor fuel.

FISCAL IMPACT: The estimated fiscal impact of extending the current motor fuel tax schedule for five years is a decrease in fuel tax receipts to the Road Use Tax Fund for FY 2008 through FY 2012 as follows:

- FY 2008: \$ -7,900,000
- FY 2009: \$ -8,000,000
- FY 2010: \$ -8,500,000
- FY 2011: \$ -5,900,000
- FY 2012: \$ -6,200,000

57 17 Sec. 115. Section 455B.306, Code 2007, is amended by
57 18 adding the following new subsection:
57 19 NEW SUBSECTION. 12. This section shall not apply to a
57 20 sanitary landfill project owned by an electric generating
57 21 facility and used exclusively for the disposal of coal
57 22 combustion residue. Notwithstanding section 455B.301,
57 23 subsection 8, a utility under this subsection may demonstrate
57 24 financial assurance through the use of a secured trust fund, a
57 25 cash or surety bond, a corporate financial test as provided by
57 26 the department, the obtaining of an irrevocable letter of
57 27 credit, or an alternative method as provided by the
57 28 department. The financial assurance instrument submitted must
57 29 ensure the facility's financial capability to provide
57 30 reasonable and necessary response during the lifetime of the
57 31 project and for a specified period of time following closure
57 32 as required by rules adopted by the commission.

CODE: Exempts a sanitary landfill used for coal disposal that is owned by an electric generating facility from filing a comprehensive plan with the DNR.

57 33 Sec. 116. Section 463C.17, Code 2007, is amended to read
57 34 as follows:
57 35 463C.17 EXEMPTION FROM COMPETITIVE BID LAWS.
58 1 The authority, the department, and their agents and
58 2 contracts entered into by the authority, the department, and
58 3 their agents, in carrying out its public and essential
58 4 governmental functions are exempt from the laws of the state
58 5 which provide for competitive bids, term-length, and hearings
58 6 in connection with contracts, except as provided in section
58 7 12.30. However, the exemption from competitive bid laws in
58 8 this section shall not be construed to apply to contracts for
58 9 ~~the development of the park~~ or the development or construction
58 10 of facilities in the park, including, but not limited to,
58 11 lodges, campgrounds, cabins, and golf courses.

CODE: Adds the Department of Natural Resources to the list of exemptions related to competitive bid laws.

58 12 Sec. 117. Section 505.8, Code 2007, is amended by adding
58 13 the following new subsection:
58 14 NEW SUBSECTION. 8. The commissioner may, after a hearing
58 15 conducted pursuant to chapter 17A, assess fines or penalties,

CODE: Adds to the duties of the Commissioner of Insurance.

58 16 order restitution, or take other corrective action as the
 58 17 commissioner deems necessary and appropriate to accomplish
 58 18 compliance with the laws of the state relating to all
 58 19 insurance business transacted in the state.

58 20 Sec. 118. Section 717F.1, subsection 1, if enacted by 2007
 58 21 Iowa Acts, Senate File 564, section 1, is amended to read as
 58 22 follows:

58 23 1. "Agricultural animal" means ~~the same as an agricultural~~
 58 24 animal as defined in section 717A.1 other than swine which is
 58 25 a member of the species sus scrofa linnaeus, including but not
 58 26 limited to swine commonly known as Russian boar or European
 58 27 boar of either sex.

CODE: Specifies that Russian or European boars are not included in the definition of agricultural animals as specified in SF 564 (Wild and Dangerous Animals Bill).

58 28 Sec. 119. Section 717F.1, subsection 3, paragraph b, if
 58 29 enacted by 2007 Iowa Acts, Senate File 564, section 1, is
 58 30 amended to read as follows:

58 31 b. "Circus" does not include a person, regardless of
 58 32 whether the person is a holder of a class "C" license as
 58 33 provided in paragraph "a", who ~~does any of the following:~~
 58 34 ~~—(1) Keeps a dangerous wild animal which is a member of the~~
 58 35 ~~order carnivora within the family felidae or the family-~~
 59 1 ~~ursidae, as described in this section.~~
 59 2 ~~(2) Uses the~~ uses a dangerous wild animal for any of the
 59 3 following purposes:
 59 4 ~~(a)~~ (1) A presentation to children at a public or
 59 5 nonpublic school as defined in section 280.2.
 59 6 ~~(b)~~ (2) Entertainment that involves an activity in which
 59 7 a member of the public is in close proximity to the dangerous
 59 8 wild animal, including but not limited to a contest or a
 59 9 photographic opportunity.

CODE: Amends SF 564 (Wild and Dangerous Animals Bill) and defines the events where a circus is allowed to use a dangerous animal.

59 10 Sec. 120. Section 717F.1, subsection 5, paragraph a, if
 59 11 enacted by 2007 Iowa Acts, Senate File 564, section 1, is
 59 12 amended by adding the following new subparagraph:

CODE: Adds Russian or European boar definitions to SF 564 (Dangerous and Wild Animals Bill).

59 13 NEW SUBPARAGRAPH. (11) Swine which is a member of the
 59 14 species *sus scrofa linnaeus*, including but not limited to
 59 15 swine commonly known as Russian boar or European boar of
 59 16 either sex.

59 17 Sec. 121. Section 717F.7, subsection 3, if enacted by 2007
 59 18 Iowa Acts, Senate File 564, section 7, is amended to read as
 59 19 follows:
 59 20 3. A person who keeps falcons, if the person has been
 59 21 issued a falconry license by the department of natural
 59 22 resources pursuant to section 483A.1.

CODE: Amends SF 564 (Wild and Dangerous Animals Bill) and requires persons that keep falcons to have a falconry license issued by the Department of Natural Resources.

59 23 Sec. 122. Section 717F.7, subsection 13, if enacted by
 59 24 2007 Iowa Acts, Senate File 564, section 7, is amended to read
 59 25 as follows:
 59 26 13. A location operated by a person licensed to practice
 59 27 veterinary medicine pursuant to chapter 169. However, this
 59 28 subsection shall not apply to a swine which is a member of the
 59 29 species *sus scrofa linnaeus*, including but not limited to
 59 30 swine commonly known as Russian boar or European boar of
 59 31 either sex.

CODE: Permits a veterinarian to treat Russian or European boars.

59 32 Sec. 123. Section 717F.8, subsection 2, if enacted by 2007
 59 33 Iowa Acts, Senate File 564, section 8, is amended by adding
 59 34 the following new paragraph:
 59 35 NEW PARAGRAPH. I. Ten dollars for swine which is a member
 60 1 of the species *sus scrofa linnaeus*, including but not limited
 60 2 to swine commonly known as Russian boar or European boar of
 60 3 either sex.

CODE: Requires a \$10 registration fee for owners of Russian or European boars.

FISCAL IMPACT: The Department of Agriculture and Land Stewardship estimates there are approximately 200 of these animals in Iowa. This fee is expected to generate revenue of \$2,000 annually.

60 4 Sec. 124. Section 909.3A, Code 2007, is amended to read as
 60 5 follows:
 60 6 909.3A COMMUNITY SERVICE OPTION.
 60 7 The court may, in its discretion, order the defendant to

CODE: Requires the value of community service work that is imposed in lieu of a fine to be calculated on the higher of the federal or State minimum wage.

60 8 perform community service work of an equivalent value to the
 60 9 fine imposed where it appears that the community service work
 60 10 will be adequate to deter the defendant and to discourage
 60 11 others from similar criminal activity. The rate at which
 60 12 community service shall be calculated shall be the federal or
 60 13 state minimum wage, whichever is higher.

60 14 Sec. 125. REFUNDS. Refunds of taxes, interest, or
 60 15 penalties which arise from claims resulting from the amendment
 60 16 to section 423.3, subsection 89, in this division of this Act
 60 17 for the exemption of the sales of goods, wares, and
 60 18 merchandise, and the furnishing of services used in the
 60 19 fulfillment of a written construction contract for the
 60 20 original construction of a building or structure to be used as
 60 21 a collaborative educational facility occurring between May 15,
 60 22 2007, and June 30, 2007, shall not be allowed unless refund
 60 23 claims are filed by October 1, 2007, notwithstanding any other
 60 24 provision of law.

60 25 Sec. 126. NATIVE WINE MANUFACTURERS -- WINE GALLONAGE TAX
 60 26 EXCEPTION.
 60 27 Notwithstanding any provision of section 123.183 to the
 60 28 contrary, wine imported into this state prior to June 1, 2007,
 60 29 and used for manufacturing native wine shall not be subject to
 60 30 the wine gallonage tax as provided by that section.

60 31 Sec. 127. LEGISLATIVE PROPERTY TAX STUDY COMMITTEE.
 60 32 1. A legislative property tax study committee is
 60 33 established. The study committee shall conduct a
 60 34 comprehensive review of property taxation in Iowa including
 60 35 but not limited to the continued use of property taxes as a
 61 1 major funding source for local governments and for local
 61 2 school districts in Iowa, the classification and assessment of
 61 3 property for property tax purposes and the impact of the tie
 61 4 between residential and agricultural property assessments, the
 61 5 level of consistency employed in classifying and assessing

Prohibits refunds of sales taxes, interest, or penalties for claims resulting from Section 112 unless the claims are filed by October 1, 2007.

CODE: Exempts wine imported to Iowa for the manufacture of native wine prior to June 1, 2007, from the wine gallonage tax of \$1.75 per gallon.

Establishes a Legislative Property Tax Study Committee to conduct a comprehensive review of property taxation in Iowa. The study is to examine:

- Use of property taxes as a funding source for local governments and schools.
- Impact of the tie between residential and agricultural assessments.
- Consistency in classification and assessment of property.
- Exemptions and the impact on local and State budgets and other

61 6 property for property tax purposes, the various exemptions and
 61 7 credits currently available to property taxpayers and the
 61 8 impact on local government and state budgets and on other
 61 9 taxpayers of providing those credits and exemptions, and the
 61 10 use of property taxes as an economic development tool and the
 61 11 impact on local and state government budgets and on other
 61 12 taxpayers of such use. In its study, the committee shall
 61 13 address the goals of property tax simplification and equity.

taxpayers.

- Use of property taxes as an economic development tool and the impact on other governmental entities.
- Property tax simplification and equity.

61 14 2. a. The committee shall be comprised of the following
 61 15 voting members:
 61 16 (1) Five members who are members of the senate, three of
 61 17 whom shall be appointed by the majority leader of the senate
 61 18 and two of whom shall be appointed by the minority leader of
 61 19 the senate.

Specifies the Legislative Property Tax Study Committee membership.

61 20 (2) Five members who are members of the house of
 61 21 representatives, three of whom shall be appointed by the
 61 22 speaker of the house of representatives and two of whom shall
 61 23 be appointed by the minority leader of the house of
 61 24 representatives.

61 25 b. The committee shall be comprised of the following
 61 26 nonvoting members who shall be appointed by the majority
 61 27 leader of the senate and the speaker of the house of
 61 28 representatives in consultation with the minority leaders of
 61 29 the senate and the house of representatives:

61 30 (1) One member from an association representing Iowa
 61 31 counties.

61 32 (2) One member from an association representing Iowa
 61 33 cities.

61 34 (3) One member from an association representing Iowa
 61 35 school boards.

62 1 (4) One member from an association representing
 62 2 agricultural property taxpayers.

62 3 (5) One member from an association representing Iowa
 62 4 commercial property taxpayers.

62 5 (6) One member from an association representing Iowa
 62 6 industrial taxpayers.

62 7 (7) One member representing residential taxpayers.
 62 8 (8) One member from an association representing Iowa
 62 9 telecommunications property taxpayers.
 62 10 (9) Representatives of other interests as designated by
 62 11 the legislative council.
 62 12 c. The committee shall be comprised of the following
 62 13 nonvoting members who shall be appointed by the governor:
 62 14 (1) A representative employed by the department of
 62 15 management.
 62 16 (2) A representative employed by the department of
 62 17 revenue.
 62 18 (3) A representative employed by the department of
 62 19 economic development.

62 20 3. The property tax study committee shall meet during the
 62 21 2007 and 2008 legislative interims at the call of the
 62 22 chairperson. The committee is authorized to hold as many
 62 23 meetings as the committee deems necessary.

62 24 4. The property tax study committee may contract with one
 62 25 or more tax consultants or experts familiar with the Iowa
 62 26 property tax system. The legislative council, pursuant to its
 62 27 authority in section 2.42, may allocate to the study committee
 62 28 funding from moneys available to it in section 2.12 for the
 62 29 purpose of contracting with the consultant or expert.

62 30 5. The property tax study committee shall submit a final
 62 31 report to the general assembly on or before January 5, 2009.
 62 32 The final report shall include but not be limited to findings,
 62 33 analyses, and recommendations by the committee.

62 34 Sec. 128. RESEARCH AND DEVELOPMENT PREKINDERGARTEN
 THROUGH
 62 35 GRADE TWELVE SCHOOL -- FEASIBILITY STUDY. The department of
 63 1 education and the university of northern Iowa shall convene a

Requires the Legislative Property Tax Study Committee to meet during the 2007 and 2008 legislative interims and hold as many meetings as necessary.

Permits the Legislative Property Tax Study Committee to contract with experts and consultants. The Legislative Council may allocate funds to the committee for this purpose.

Requires the Legislative Property Tax Study Committee to report to the General Assembly by January 5, 2009.

Requires the Department of Education and the University of Northern Iowa (UNI) to convene a task force to study the feasibility of creating a research and development school for grades Prekindergarten through 12. Directs the task force to consider the existing Price Laboratory

63 2 task force to study the feasibility of creating a research and
63 3 development prekindergarten through grade twelve school for
63 4 the state of Iowa. The task force shall include, at a
63 5 minimum, university of northern Iowa faculty and
63 6 representatives from other institutions governed by the state
63 7 board of regents and from school districts which offer
63 8 prekindergarten through grade twelve. The task force shall
63 9 address the possibilities of creating a site where innovative
63 10 and promising practices can be studied and implemented to
63 11 improve the achievement of students in prekindergarten through
63 12 grade twelve, processes in which the findings of such studies
63 13 are shared with Iowa educators, and an appropriate governance
63 14 structure, and shall address the necessary funding and funding
63 15 sources for the school. The task force shall consider the
63 16 existing laboratory school located at the university of
63 17 northern Iowa as the site for the research and development
63 18 prekindergarten through grade twelve school. The task force
63 19 shall submit its findings and recommendations in a report to
63 20 the general assembly, the state board of education, and the
63 21 state board of regents by January 14, 2008.

School at UNI as the site for the new school. Requires the task force to submit a report of findings and recommendations to the General Assembly by January 14, 2008.

63 22 Sec. 129. EFFECTIVE DATE.
63 23 1. The section of this division of this Act amending
63 24 section 28D.3, subsection 4, being deemed of immediate
63 25 importance, takes effect upon enactment.

Section 83 referring to the time limitation on the interchange of federal, State, and local government employees takes effect on enactment.

63 26 2. The section of this division of this Act providing an
63 27 exception to the imposition of the wine gallonage tax for
63 28 native wine manufacturers, being deemed of immediate
63 29 importance, takes effect upon enactment.

Section 126 exempting wine imported for manufacture of native wine from the gallonage tax takes effect on enactment.

63 30 Sec. 130. EFFECTIVE DATE. The sections of this division
63 31 of this Act amending section 321.34, subsections 8 and 12A,
63 32 being deemed of immediate importance, take effect upon
63 33 enactment.

Sections 106 and 107 dealing with Medal of Honor and Armed Forces Service vehicle registration plates take effect on enactment.

63 34 Sec. 131. EFFECTIVE DATE. The section of this division of
 63 35 this Act establishing a prekindergarten through grade twelve
 64 1 feasibility study, being deemed of immediate importance, takes
 64 2 effect upon enactment.

Section 128 referring to the establishment of a research school feasibility study, takes effect on enactment.

64 3 Sec. 132. 2007 Iowa Acts, Senate File 403, section 5, if
 64 4 enacted, is repealed.

CODE: Repeals Section 5 of SF 403 (FY 2007 Supplemental Appropriation Act). The Section appropriated \$250,000 from the General Fund and 3.00 FTE positions to the Iowa Energy Independence Office.

DETAIL: Section 53 appropriates 4.00 FTE positions to the Office of Energy Independence.

64 5 Sec. 133. 2007 Iowa Acts, Senate File 403, section 34, if
 64 6 enacted, is repealed.

CODE: Repeals Section 34 of SF 403 (FY 2007 Supplemental Appropriation Act). The Section required the General Assembly and the Governor to approve the sale, exchange, or disposal of student-constructed real property with a fair market value of \$5,000,000 or more.

64 7 Sec. 134. Section 811.2A, Code 2007, is repealed.

CODE: Repeals Section 811.2A, Code of Iowa, a provision that a person may not be admitted to bail if they have been released on Pre-Trial Release and rearrested for a different crime that is punishable as at least an aggravated misdemeanor.

CORRECTIONAL IMPACT: There may be a decrease in jail bed days, specifically in larger metropolitan areas. Such decreases cannot be estimated due to a lack of data but are anticipated to be minimal.

FISCAL IMPACT: It is not possible to estimate the fiscal impact due to a lack of data. However, the fiscal impact on counties for operating jails is anticipated to be minimal.

64 8 DIVISION VII
 64 9 ELDER SERVICES

64 10 Sec. 135. Section 231B.1, subsection 1, Code 2007, is
 64 11 amended to read as follows:

64 12 1. "Department" means the department of ~~elder affairs~~
 64 13 inspections and appeals or the department's designee.

64 14 Sec. 136. Section 231B.1A, subsection 3, Code 2007, is
 64 15 amended by striking the subsection.

64 16 Sec. 137. Section 231B.2, subsection 1, unnumbered
 64 17 paragraph 1, Code 2007, is amended to read as follows:

64 18 The department shall establish by rule, in accordance with
 64 19 chapter 17A, minimum standards for certification and
 64 20 monitoring of elder group homes. The department may adopt by
 64 21 reference, with or without amendment, nationally recognized
 64 22 standards and rules for elder group homes. The standards and
 64 23 rules shall be formulated in consultation with ~~the department~~
 64 24 of inspections and appeals affected state agencies and
 64 25 affected industry, professional, and consumer groups; and shall
 64 26 be designed to accomplish the purposes of this chapter; and
 64 27 shall include but not be limited to rules relating to all of
 64 28 the following:

64 29 Sec. 138. Section 231B.2, subsection 1, paragraph b, Code
 64 30 2007, is amended to read as follows:

64 31 b. Requirements that elder group homes furnish the
 64 32 department of ~~elder affairs and the department of inspections~~
 64 33 ~~and appeals~~ with specified information necessary to administer
 64 34 this chapter. All information related to the provider
 64 35 application for an elder group home presented to ~~either the~~
 65 1 ~~department of inspections and appeals or the department of~~
 65 2 ~~elder affairs~~ shall be considered a public record pursuant to
 65 3 chapter 22.

65 4 Sec. 139. Section 231B.2, subsection 2, Code 2007, is
 65 5 amended to read as follows:

65 6 2. Each elder group home operating in this state shall be
 65 7 certified by the department of ~~inspections and appeals~~.

65 8 Sec. 140. Section 231B.2, subsection 5, unnumbered
 65 9 paragraph 1, Code 2007, is amended to read as follows:

65 10 The department of ~~inspections and appeals~~ may enter into
 65 11 contracts to provide certification and monitoring of elder

CODE: This Division (Sections 135 through 206) transfers regulatory control of elder group homes, assisted living programs, and adult day services for licensing and monitoring purposes from the Department of Elder Affairs to the Department of Inspections and Appeals.

65 12 group homes. The department of ~~inspections and appeals~~ shall:

65 13 Sec. 141. Section 231B.2, subsections 6, 7, 9, and 10,
65 14 Code 2007, are amended to read as follows:

65 15 6. A department, agency, or officer of this state or of
65 16 any governmental unit shall not pay or approve for payment
65 17 from public funds any amount to an elder group home for an
65 18 actual or prospective tenant, unless the program holds a
65 19 current certificate issued by the department of ~~inspections-~~
65 20 ~~and appeals~~ and meets all current requirements for
65 21 certification.

65 22 7. The department shall adopt rules regarding the
65 23 conducting or operating of another business or activity in the
65 24 distinct part of the physical structure in which the elder
65 25 group home is operated, if the business or activity serves
65 26 persons who are not tenants. The rules shall be developed in
65 27 consultation with ~~the department of inspections and appeals~~
65 28 affected state agencies and affected industry, professional,
65 29 and consumer groups.

65 30 9. The department of ~~elder affairs and the department of~~
65 31 ~~inspections and appeals~~ shall conduct joint training sessions
65 32 for personnel responsible for conducting monitoring
65 33 evaluations and complaint investigations of elder group homes.

65 34 10. Certification shall be for two years unless revoked
65 35 for good cause by the department of ~~inspections and appeals~~.

66 1 Sec. 142. Section 231B.3, subsection 2, Code 2007, is
66 2 amended to read as follows:

66 3 2. A person who has knowledge that an elder group home is
66 4 operating without certification shall report the name and
66 5 address of the home to the department of ~~inspections and~~
66 6 ~~appeals~~. The department of ~~inspections and appeals~~ shall
66 7 investigate a report made pursuant to this section.

66 8 Sec. 143. Section 231B.4, Code 2007, is amended to read as
66 9 follows:

66 10 231B.4 ZONING -- FIRE AND SAFETY STANDARDS.

66 11 An elder group home shall be located in an area zoned for
66 12 single-family or multiple-family housing or in an
66 13 unincorporated area and shall be constructed in compliance
66 14 with applicable local housing codes and the rules adopted for

66 15 the special classification by the state fire marshal. In the
66 16 absence of local building codes, the facility shall comply
66 17 with the state plumbing code established pursuant to section
66 18 135.11 and the state building code established pursuant to
66 19 section 103A.7 and the rules adopted for the special
66 20 classification by the state fire marshal. The rules adopted
66 21 for the special classification by the state fire marshal
66 22 regarding second floor occupancy shall be adopted in
66 23 consultation with the department of ~~elder affairs~~ and shall
66 24 take into consideration the mobility of the tenants.
66 25 Sec. 144. Section 231B.5, subsection 3, Code 2007, is
66 26 amended to read as follows:
66 27 3. Occupancy agreements and related documents executed by
66 28 each tenant or tenant's legal representative shall be
66 29 maintained by the elder group home from the date of execution
66 30 until three years from the date the occupancy agreement is
66 31 terminated. A copy of the most current occupancy agreement
66 32 shall be provided to members of the general public, upon
66 33 request. Occupancy agreements and related documents shall be
66 34 made available for on-site inspection to the department of
66 35 ~~inspections and appeals~~ upon request and at reasonable times.
67 1 Sec. 145. Section 231B.6, subsection 1, unnumbered
67 2 paragraph 1, Code 2007, is amended to read as follows:
67 3 If an elder group home initiates the involuntary transfer
67 4 of a tenant and the action is not a result of a monitoring
67 5 evaluation or complaint investigation by the department of
67 6 ~~inspections and appeals~~, and if the tenant or tenant's legal
67 7 representative contests the transfer, the following procedure
67 8 shall apply:
67 9 Sec. 146. Section 231B.6, subsection 2, Code 2007, is
67 10 amended to read as follows:
67 11 2. The department, in consultation with ~~the department of~~
67 12 ~~inspections and appeals~~ affected state agencies and affected
67 13 industry, professional, and consumer groups, shall establish
67 14 by rule, in accordance with chapter 17A, procedures to be
67 15 followed, including the opportunity for hearing, when the
67 16 transfer of a tenant results from a monitoring evaluation or
67 17 complaint investigation conducted by the department of ~~of~~

67 18 ~~inspections and appeals.~~
67 19 Sec. 147. Section 231B.7, Code 2007, is amended to read as
67 20 follows:
67 21 231B.7 COMPLAINTS.
67 22 1. Any person with concerns regarding the operations or
67 23 service delivery of an elder group home may file a complaint
67 24 with the department of ~~inspections and appeals~~. The name of
67 25 the person who files a complaint with the department of
67 26 ~~inspections and appeals~~ and any personal identifying
67 27 information of the person or any tenant identified in the
67 28 complaint shall be kept confidential and shall not be subject
67 29 to discovery, subpoena, or other means of legal compulsion for
67 30 its release to a person other than department of ~~inspections-~~
67 31 ~~and appeals'~~ employees involved with the complaint.
67 32 2. The department, ~~in cooperation with the department of~~
67 33 ~~inspections and appeals~~, shall establish procedures for the
67 34 disposition of complaints received in accordance with this
67 35 section.
68 1 Sec. 148. Section 231B.8, Code 2007, is amended to read as
68 2 follows:
68 3 231B.8 INFORMAL REVIEW.
68 4 1. If an elder group home contests the findings of
68 5 regulatory insufficiencies of a monitoring evaluation or
68 6 complaint investigation, the program shall submit written
68 7 information, demonstrating that the program was in compliance
68 8 with the applicable requirement at the time of the monitoring
68 9 evaluation or complaint investigation of the regulatory
68 10 insufficiencies, to the department of ~~inspections and appeals~~
68 11 for review.
68 12 2. The department of ~~inspections and appeals~~ shall review
68 13 the written information submitted within ten working days of
68 14 the receipt of the information. At the conclusion of the
68 15 review, the department of ~~inspections and appeals~~ may affirm,
68 16 modify, or dismiss the regulatory insufficiencies. The
68 17 department of ~~inspections and appeals~~ shall notify the program
68 18 in writing of the decision to affirm, modify, or dismiss the
68 19 regulatory insufficiencies, and the reasons for the decision.
68 20 3. In the case of a complaint investigation, the

68 21 ~~department of inspections and appeals~~ shall also notify the
68 22 complainant, if known, of the decision and the reasons for the
68 23 decision.

68 24 Sec. 149. Section 231B.9, Code 2007, is amended to read as
68 25 follows:

68 26 231B.9 PUBLIC DISCLOSURE OF FINDINGS.

68 27 Upon completion of a monitoring evaluation or complaint
68 28 investigation of an elder group home by the department of
68 29 ~~inspections and appeals~~ pursuant to this chapter, including
68 30 the conclusion of all administrative appeals processes, the
68 31 ~~department of inspections and appeals'~~ department's final
68 32 findings with respect to compliance by the elder group home
68 33 with requirements for certification shall be made available to
68 34 the public in a readily available form and place. Other
68 35 information relating to an elder group home that is obtained
69 1 by the department of ~~inspections and appeals~~ which does not
69 2 constitute the ~~department of inspections and appeals'~~
69 3 department's final findings from a monitoring evaluation or
69 4 complaint investigation of the elder group home shall ~~be made~~
69 5 ~~available to the department of elder affairs upon request to~~
69 6 ~~facilitate policy decisions, but shall~~ not be made available
69 7 to the public except in proceedings involving the denial,
69 8 suspension, or revocation of a certificate under this chapter.

69 9 Sec. 150. Section 231B.10, subsection 1, unnumbered
69 10 paragraph 1, Code 2007, is amended to read as follows:

69 11 The department of ~~inspections and appeals~~ may deny,
69 12 suspend, or revoke a certificate in any case where the
69 13 department of ~~inspections and appeals~~ finds that there has
69 14 been a substantial or repeated failure on the part of the
69 15 elder group home to comply with this chapter or minimum
69 16 standards adopted under this chapter or for any of the
69 17 following reasons:

69 18 Sec. 151. Section 231B.10, subsection 2, Code 2007, is
69 19 amended to read as follows:

69 20 2. The department of ~~inspections and appeals~~ may as an
69 21 alternative to denial, suspension, or revocation conditionally
69 22 issue or continue a certificate dependent upon the performance
69 23 by the elder group home of reasonable conditions within a

69 24 reasonable period of time as set by the department of
69 25 ~~inspections and appeals~~ so as to permit the program to
69 26 commence or continue the operation of the elder group home
69 27 pending full compliance with this chapter or the rules adopted
69 28 pursuant to this chapter. If the elder group home does not
69 29 make diligent efforts to comply with the conditions
69 30 prescribed, the department of ~~inspections and appeals~~ may,
69 31 under the proceedings prescribed by this chapter, deny,
69 32 suspend, or revoke the certificate. An elder group home shall
69 33 not be operated on a conditional certificate for more than one
69 34 year.

69 35 Sec. 152. Section 231B.11, Code 2007, is amended to read
70 1 as follows:

70 2 231B.11 NOTICE -- APPEAL -- EMERGENCY PROVISIONS.

70 3 1. The denial, suspension, or revocation of a certificate
70 4 shall be effected by delivering to the applicant or
70 5 certificate holder by restricted certified mail or by personal
70 6 service a notice setting forth the particular reasons for such
70 7 action. Such denial, suspension, or revocation shall become
70 8 effective thirty days after the mailing or service of the
70 9 notice, unless the applicant or certificate holder, within
70 10 such thirty-day period, requests a hearing, in writing, of the
70 11 department of ~~inspections and appeals~~, in which case the
70 12 notice shall be deemed to be suspended.

70 13 2. The denial, suspension, or revocation of a certificate
70 14 may be appealed in accordance with rules adopted by the
70 15 department of ~~inspections and appeals~~ in accordance with
70 16 chapter 17A.

70 17 3. When the department of ~~inspections and appeals~~ finds
70 18 that an imminent danger to the health or safety of a tenant of
70 19 an elder group home exists which requires action on an
70 20 emergency basis, the department of ~~inspections and appeals~~ may
70 21 direct removal of all tenants of the elder group home and
70 22 suspend the certificate prior to a hearing.

70 23 Sec. 153. Section 231B.12, Code 2007, is amended to read
70 24 as follows:

70 25 231B.12 DEPARTMENT NOTIFIED OF CASUALTIES.

70 26 The department of ~~inspections and appeals~~ shall be notified

70 27 within twenty-four hours, by the most expeditious means
70 28 available, of any accident causing substantial injury or death
70 29 to a tenant, and any substantial fire or natural or other
70 30 disaster occurring at or near an elder group home.
70 31 Sec. 154. Section 231B.13, Code 2007, is amended to read
70 32 as follows:
70 33 231B.13 RETALIATION BY ELDER GROUP HOME PROHIBITED.
70 34 An elder group home shall not discriminate or retaliate in
70 35 any way against a tenant, a tenant's family, or an employee of
71 1 the elder group home who has initiated or participated in any
71 2 proceeding authorized by this chapter. An elder group home
71 3 that violates this section is subject to a penalty as
71 4 established by administrative rule in accordance with chapter
71 5 17A, to be assessed and collected by the department of
71 6 ~~inspections and appeals~~, paid into the state treasury, and
71 7 credited to the general fund of the state.
71 8 Sec. 155. Section 231B.14, subsection 2, Code 2007, is
71 9 amended to read as follows:
71 10 2. Following receipt of notice from the department of
71 11 ~~inspections and appeals~~, continued failure or refusal to
71 12 comply within a prescribed time frame with regulatory
71 13 requirements that have a direct relationship to the health,
71 14 safety, or security of elder group home tenants.
71 15 Sec. 156. Section 231B.14, subsection 3, unnumbered
71 16 paragraph 1, Code 2007, is amended to read as follows:
71 17 Preventing or interfering with or attempting to impede in
71 18 any way any duly authorized representative of the department
71 19 ~~of inspections and appeals~~ in the lawful enforcement of this
71 20 chapter or of the rules adopted pursuant to this chapter. As
71 21 used in this subsection, "lawful enforcement" includes but is
71 22 not limited to:
71 23 Sec. 157. Section 231B.15, Code 2007, is amended to read
71 24 as follows:
71 25 231B.15 CRIMINAL PENALTIES AND INJUNCTIVE RELIEF.
71 26 A person establishing, conducting, managing, or operating
71 27 an elder group home without a certificate is guilty of a
71 28 serious misdemeanor. Each day of continuing violation after
71 29 conviction or notice from the department of ~~inspections and~~

71 30 ~~appeals~~ by certified mail of a violation shall be considered a
71 31 separate offense. A person establishing, conducting,
71 32 managing, or operating an elder group home without a
71 33 certificate may be temporarily or permanently restrained by a
71 34 court of competent jurisdiction from such activity in an
71 35 action brought by the state.

72 1 Sec. 158. Section 231B.17, subsection 1, Code 2007, is
72 2 amended to read as follows:
72 3 1. The department of ~~inspections and appeals~~ shall collect
72 4 elder group home certification and related fees. Fees
72 5 collected and retained pursuant to this section shall be
72 6 deposited in the general fund of the state.

72 7 Sec. 159. Section 231B.20, Code 2007, is amended to read
72 8 as follows:
72 9 231B.20 NURSING ASSISTANT AND MEDICATION AIDE --
72 10 CERTIFICATION.

72 11 The department of ~~inspections and appeals~~, in cooperation
72 12 with other appropriate agencies, shall establish a procedure
72 13 to allow nursing assistants or medication aides to claim work
72 14 within an elder group home as credit toward sustaining the
72 15 nursing assistant's or medication aide's certification.

72 16 Sec. 160. Section 231C.1, subsection 3, Code 2007, is
72 17 amended by striking the subsection and inserting in lieu
72 18 thereof the following:
72 19 3. It is the intent of the general assembly that the
72 20 department promote a social model for assisted living programs
72 21 and a consultative process to assist with compliance by
72 22 assisted living programs.

72 23 Sec. 161. Section 231C.2, subsection 3, Code 2007, is
72 24 amended to read as follows:
72 25 3. "Department" means the department of ~~elder affairs~~
72 26 ~~created in chapter 231~~ inspections and appeals or the
72 27 department's designee.

72 28 Sec. 162. Section 231C.3, subsection 1, unnumbered
72 29 paragraph 1, Code 2007, is amended to read as follows:
72 30 The department shall establish by rule in accordance with
72 31 chapter 17A minimum standards for certification and monitoring
72 32 of assisted living programs. The department may adopt by

72 33 reference with or without amendment, nationally recognized
72 34 standards and rules for assisted living programs. The rules
72 35 shall include specification of recognized accrediting entities
73 1 and provisions related to dementia-specific programs. The
73 2 standards and rules shall be formulated in consultation with
73 3 ~~the department of inspections and appeals~~ affected state
73 4 agencies and affected industry, professional, and consumer
73 5 groups; ~~i~~ shall be designed to accomplish the purposes of this
73 6 chapter; ~~i~~ and shall include but are not limited to rules
73 7 relating to all of the following:
73 8 Sec. 163. Section 231C.3, subsection 1, paragraph b, Code
73 9 2007, is amended to read as follows:
73 10 b. Requirements that assisted living programs furnish the
73 11 ~~department of elder affairs and the department of inspections-~~
73 12 ~~and appeals~~ with specified information necessary to administer
73 13 this chapter. All information related to a provider
73 14 application for an assisted living program submitted to ~~either~~
73 15 ~~the department of elder affairs or the department of~~
73 16 ~~inspections and appeals~~ shall be considered a public record
73 17 pursuant to chapter 22.
73 18 Sec. 164. Section 231C.3, subsection 2, Code 2007, is
73 19 amended to read as follows:
73 20 2. Each assisted living program operating in this state
73 21 shall be certified by the ~~department of inspections and~~
73 22 ~~appeals~~. If an assisted living program is voluntarily
73 23 accredited by a recognized accrediting entity, the department
73 24 ~~of inspections and appeals~~ shall certify the assisted living
73 25 program on the basis of the voluntary accreditation. An
73 26 assisted living program that is certified by the ~~department of~~
73 27 ~~inspections and appeals~~ on the basis of voluntary
73 28 accreditation shall not be subject to payment of the
73 29 certification fee prescribed in section 231C.18, but shall be
73 30 subject to an administrative fee as prescribed by rule. An
73 31 assisted living program certified under this section is exempt
73 32 from the requirements of section 135.63 relating to
73 33 certificate of need requirements.
73 34 Sec. 165. Section 231C.3, subsection 5, unnumbered
73 35 paragraph 1, Code 2007, is amended to read as follows:

74 1 The department of ~~inspections and appeals~~ may enter into
74 2 contracts to provide certification and monitoring of assisted
74 3 living programs. The department of ~~inspections and appeals~~
74 4 shall:

74 5 Sec. 166. Section 231C.3, subsections 6, 7, 8, 10, and 11,
74 6 Code 2007, are amended to read as follows:

74 7 6. The department may also establish by rule in accordance
74 8 with chapter 17A minimum standards for subsidized and
74 9 dementia-specific assisted living programs. The rules shall
74 10 be formulated in consultation with ~~the department of~~
74 11 ~~inspections and appeals~~ affected state agencies and affected
74 12 industry, professional, and consumer groups.

74 13 7. A department, agency, or officer of this state or of
74 14 any governmental unit shall not pay or approve for payment
74 15 from public funds any amount to an assisted living program for
74 16 an actual or prospective tenant, unless the program holds a
74 17 current certificate issued by the department of ~~inspections~~
74 18 ~~and appeals~~ and meets all current requirements for
74 19 certification.

74 20 8. The department shall adopt rules regarding the
74 21 conducting or operating of another business or activity in the
74 22 distinct part of the physical structure in which the assisted
74 23 living program is provided, if the business or activity serves
74 24 nontenants. The rules shall be developed in consultation with
74 25 ~~the department of inspections and appeals~~ affected state
74 26 agencies and affected industry, professional, and consumer
74 27 groups.

74 28 10. The department of ~~elder affairs and the department of~~
74 29 ~~inspections and appeals~~ shall conduct joint training sessions
74 30 for personnel responsible for conducting monitoring
74 31 evaluations and complaint investigations of assisted living
74 32 programs.

74 33 11. Certification of an assisted living program shall be
74 34 for two years unless certification is revoked for good cause
74 35 by the department of ~~inspections and appeals~~.

75 1 Sec. 167. Section 231C.4, Code 2007, is amended to read as
75 2 follows:

75 3 231C.4 FIRE AND SAFETY STANDARDS.

75 4 The state fire marshal shall adopt rules, in coordination
75 5 with the department of ~~elder affairs and the department of~~
75 6 ~~inspections and appeals~~, relating to the certification and
75 7 monitoring of the fire and safety standards of certified
75 8 assisted living programs.

75 9 Sec. 168. Section 231C.5, subsection 3, Code 2007, is
75 10 amended to read as follows:

75 11 3. Occupancy agreements and related documents executed by
75 12 each tenant or the tenant's legal representative shall be
75 13 maintained by the assisted living program in program files
75 14 from the date of execution until three years from the date the
75 15 occupancy agreement is terminated. A copy of the most current
75 16 occupancy agreement shall be provided to members of the
75 17 general public, upon request. Occupancy agreements and
75 18 related documents shall be made available for on-site
75 19 inspection to the department of ~~inspections and appeals~~ upon
75 20 request and at reasonable times.

75 21 Sec. 169. Section 231C.6, subsection 1, unnumbered
75 22 paragraph 1, Code 2007, is amended to read as follows:

75 23 If an assisted living program initiates the involuntary
75 24 transfer of a tenant and the action is not a result of a
75 25 monitoring evaluation or complaint investigation by the
75 26 department of ~~inspections and appeals~~, and if the tenant or
75 27 the tenant's legal representative contests the transfer, the
75 28 following procedure shall apply:

75 29 Sec. 170. Section 231C.6, subsection 2, Code 2007, is
75 30 amended to read as follows:

75 31 2. The department, in consultation with ~~the department of~~
75 32 ~~inspections and appeals~~ affected state agencies and affected
75 33 industry, professional, and consumer groups, shall establish,
75 34 by rule in accordance with chapter 17A, procedures to be
75 35 followed, including the opportunity for hearing, when the
76 1 transfer of a tenant results from a monitoring evaluation or
76 2 complaint investigation conducted by the department of ~~of~~
76 3 ~~inspections and appeals~~.

76 4 Sec. 171. Section 231C.7, Code 2007, is amended to read as
76 5 follows:

76 6 231C.7 COMPLAINTS.

76 7 1. Any person with concerns regarding the operations or
76 8 service delivery of an assisted living program may file a
76 9 complaint with the department of inspections and appeals. The
76 10 name of the person who files a complaint with the department
76 11 of inspections and appeals and any personal identifying
76 12 information of the person or any tenant identified in the
76 13 complaint shall be kept confidential and shall not be subject
76 14 to discovery, subpoena, or other means of legal compulsion for
76 15 its release to a person other than department of inspections-
76 16 and appeals' employees involved with the complaint.

76 17 2. The department, in cooperation with the department of
76 18 inspections and appeals, shall establish procedures for the
76 19 disposition of complaints received in accordance with this
76 20 section.

76 21 Sec. 172. Section 231C.8, Code 2007, is amended to read as
76 22 follows:

76 23 231C.8 INFORMAL REVIEW.

76 24 1. If an assisted living program contests the regulatory
76 25 insufficiencies of a monitoring evaluation or complaint
76 26 investigation, the program shall submit written information,
76 27 demonstrating that the program was in compliance with the
76 28 applicable requirement at the time of the monitoring
76 29 evaluation or complaint investigation, in support of the
76 30 contesting of the regulatory insufficiencies, to the
76 31 department of inspections and appeals for review.

76 32 2. The department of inspections and appeals shall review
76 33 the written information submitted within ten working days of
76 34 the receipt of the information. At the conclusion of the
76 35 review, the department of inspections and appeals may affirm,
77 1 modify, or dismiss the regulatory insufficiencies. The
77 2 department of inspections and appeals shall notify the program
77 3 in writing of the decision to affirm, modify, or dismiss the
77 4 regulatory insufficiencies, and the reasons for the decision.

77 5 3. In the case of a complaint investigation, the
77 6 department of inspections and appeals shall also notify the
77 7 complainant, if known, of the decision and the reasons for the
77 8 decision.

77 9 Sec. 173. Section 231C.9, Code 2007, is amended to read as

77 10 follows:
77 11 231C.9 PUBLIC DISCLOSURE OF FINDINGS.
77 12 Upon completion of a monitoring evaluation or complaint
77 13 investigation of an assisted living program by the department
77 14 ~~of inspections and appeals~~ pursuant to this chapter, including
77 15 the conclusion of all administrative appeals processes, the
77 16 ~~department of inspections and appeals'~~ department's final
77 17 findings with respect to compliance by the assisted living
77 18 program with requirements for certification shall be made
77 19 available to the public in a readily available form and place.
77 20 Other information relating to an assisted living program that
77 21 is obtained by the department ~~of inspections and appeals~~ which
77 22 does not constitute the ~~department of inspections and appeals'~~
77 23 department's final findings from a monitoring evaluation or
77 24 complaint investigation of the assisted living program shall
77 25 ~~be made available to the department of elder affairs upon~~
77 26 ~~request in order to facilitate policy decisions, but shall not~~
77 27 be made available to the public except in proceedings
77 28 involving the denial, suspension, or revocation of a
77 29 certificate under this chapter.
77 30 Sec. 174. Section 231C.10, subsection 1, unnumbered
77 31 paragraph 1, Code 2007, is amended to read as follows:
77 32 The department ~~of inspections and appeals~~ may deny,
77 33 suspend, or revoke a certificate in any case where the
77 34 department ~~of inspections and appeals~~ finds that there has
77 35 been a substantial or repeated failure on the part of the
78 1 assisted living program to comply with this chapter or the
78 2 rules, or minimum standards adopted under this chapter, or for
78 3 any of the following reasons:
78 4 Sec. 175. Section 231C.10, subsection 2, Code 2007, is
78 5 amended to read as follows:
78 6 2. The department ~~of inspections and appeals~~ may as an
78 7 alternative to denial, suspension, or revocation conditionally
78 8 issue or continue a certificate dependent upon the performance
78 9 by the assisted living program of reasonable conditions within
78 10 a reasonable period of time as set by the department ~~of~~
78 11 ~~inspections and appeals~~ so as to permit the program to
78 12 commence or continue the operation of the program pending full

78 13 compliance with this chapter or the rules adopted pursuant to
78 14 this chapter. If the assisted living program does not make
78 15 diligent efforts to comply with the conditions prescribed, the
78 16 department of ~~inspections and appeals~~ may, under the
78 17 proceedings prescribed by this chapter, suspend, or revoke the
78 18 certificate. An assisted living program shall not be operated
78 19 on a conditional certificate for more than one year.

78 20 Sec. 176. Section 231C.11, Code 2007, is amended to read
78 21 as follows:

78 22 231C.11 NOTICE -- APPEAL -- EMERGENCY PROVISIONS.

78 23 1. The denial, suspension, or revocation of a certificate
78 24 shall be effected by delivering to the applicant or
78 25 certificate holder by restricted certified mail or by personal
78 26 service a notice setting forth the particular reasons for such
78 27 action. Such denial, suspension, or revocation shall become
78 28 effective thirty days after the mailing or service of the
78 29 notice, unless the applicant or certificate holder, within
78 30 such thirty-day period, requests a hearing, in writing, of the
78 31 department of ~~inspections and appeals~~, in which case the
78 32 notice shall be deemed to be suspended.

78 33 2. The denial, suspension, or revocation of a certificate
78 34 may be appealed in accordance with rules adopted by the
78 35 department of ~~inspections and appeals~~ in accordance with
79 1 chapter 17A.

79 2 3. When the department of ~~inspections and appeals~~ finds
79 3 that an imminent danger to the health or safety of tenants of
79 4 an assisted living program exists which requires action on an
79 5 emergency basis, the department of ~~inspections and appeals~~ may
79 6 direct removal of all tenants of an assisted living program
79 7 and suspend the certificate prior to a hearing.

79 8 Sec. 177. Section 231C.12, Code 2007, is amended to read
79 9 as follows:

79 10 231C.12 DEPARTMENT NOTIFIED OF CASUALTIES.

79 11 The department of ~~inspections and appeals~~ shall be notified
79 12 within twenty-four hours, by the most expeditious means
79 13 available, of any accident causing substantial injury or
79 14 death, and any substantial fire or natural or other disaster
79 15 occurring at or near an assisted living program.

79 16 Sec. 178. Section 231C.13, Code 2007, is amended to read
79 17 as follows:

79 18 231C.13 RETALIATION BY ASSISTED LIVING PROGRAM PROHIBITED.

79 19 An assisted living program shall not discriminate or
79 20 retaliate in any way against a tenant, tenant's family, or an
79 21 employee of the program who has initiated or participated in
79 22 any proceeding authorized by this chapter. An assisted living
79 23 program that violates this section is subject to a penalty as
79 24 established by administrative rule in accordance with chapter
79 25 17A, to be assessed and collected by the department of
79 26 ~~inspections and appeals~~, paid into the state treasury, and
79 27 credited to the general fund of the state.

79 28 Sec. 179. Section 231C.14, subsection 2, Code 2007, is
79 29 amended to read as follows:

79 30 2. Following receipt of notice from the department of
79 31 ~~inspections and appeals~~, continued failure or refusal to
79 32 comply within a prescribed time frame with regulatory
79 33 requirements that have a direct relationship to the health,
79 34 safety, or security of program tenants.

79 35 Sec. 180. Section 231C.14, subsection 3, unnumbered
80 1 paragraph 1, Code 2007, is amended to read as follows:
80 2 Preventing or interfering with or attempting to impede in
80 3 any way any duly authorized representative of the department
80 4 ~~of inspections and appeals~~ in the lawful enforcement of this
80 5 chapter or of the rules adopted pursuant to this chapter. As
80 6 used in this subsection, "lawful enforcement" includes but is
80 7 not limited to:

80 8 Sec. 181. Section 231C.15, Code 2007, is amended to read
80 9 as follows:

80 10 231C.15 CRIMINAL PENALTIES AND INJUNCTIVE RELIEF.

80 11 A person establishing, conducting, managing, or operating
80 12 any assisted living program without a certificate is guilty of
80 13 a serious misdemeanor. Each day of continuing violation after
80 14 conviction or notice from the department of ~~inspections and~~
80 15 ~~appeals~~ by certified mail of a violation shall be considered a
80 16 separate offense or chargeable offense. A person
80 17 establishing, conducting, managing, or operating an assisted
80 18 living program without a certificate may be temporarily or

80 19 permanently restrained by a court of competent jurisdiction
80 20 from such activity in an action brought by the state.
80 21 Sec. 182. Section 231C.16, Code 2007, is amended to read
80 22 as follows:
80 23 231C.16 NURSING ASSISTANT AND MEDICATION AIDE --
80 24 CERTIFICATION.
80 25 The department of ~~inspections and appeals~~, in cooperation
80 26 with other appropriate agencies, shall establish a procedure
80 27 to allow nursing assistants or medication aides to claim work
80 28 within an assisted living program as credit toward sustaining
80 29 the nursing assistant's or medication aide's certification.
80 30 Sec. 183. Section 231C.18, subsection 1, Code 2007, is
80 31 amended to read as follows:
80 32 1. The department of ~~inspections and appeals~~ shall collect
80 33 assisted living program certification and related fees. An
80 34 assisted living program that is certified by the department of
80 35 ~~inspections and appeals~~ on the basis of voluntary
81 1 accreditation by a recognized accrediting entity shall not be
81 2 subject to payment of the certification fee, but shall be
81 3 subject to an administrative fee as prescribed by rule. Fees
81 4 collected and retained pursuant to this section shall be
81 5 deposited in the general fund of the state.
81 6 Sec. 184. Section 231D.1, subsection 3, Code 2007, is
81 7 amended to read as follows:
81 8 3. "Department" means the department of ~~elder affairs-~~
81 9 ~~created in chapter 234~~ inspections and appeals.
81 10 Sec. 185. Section 231D.2, subsection 2, Code 2007, is
81 11 amended by striking the subsection.
81 12 Sec. 186. Section 231D.2, subsections 3 and 4, Code 2007,
81 13 are amended to read as follows:
81 14 3. The department shall establish, by rule in accordance
81 15 with chapter 17A, a program for certification and monitoring
81 16 of and complaint investigations related to adult day services
81 17 programs. The department, in establishing minimum standards
81 18 for adult day services programs, may adopt by rule in
81 19 accordance with chapter 17A, nationally recognized standards
81 20 for adult day services programs. The rules shall include
81 21 specification of recognized accrediting entities. The rules

81 22 shall include a requirement that sufficient staffing be
81 23 available at all times to fully meet a participant's
81 24 identified needs. The rules shall include a requirement that
81 25 no fewer than two staff persons who monitor participants as
81 26 indicated in each participant's service plan shall be awake
81 27 and on duty during the hours of operation when two or more
81 28 participants are present. The rules and minimum standards
81 29 adopted shall be formulated in consultation with ~~the-~~
81 30 ~~department of inspections and appeals~~ affected state agencies
81 31 and affected industry, professional, and consumer groups and
81 32 shall be designed to accomplish the purpose of this chapter.
81 33 4. The department may establish by administrative rule, in
81 34 accordance with chapter 17A, specific rules related to minimum
81 35 standards for dementia-specific adult day services programs.
82 1 The rules shall be formulated in consultation with ~~the-~~
82 2 ~~department of inspections and appeals~~ affected state agencies
82 3 and affected industry, professional, and consumer groups.
82 4 Sec. 187. Section 231D.3, subsections 1, 3, 4, 5, 6, and
82 5 7, Code 2007, are amended to read as follows:
82 6 1. A person or governmental unit acting severally or
82 7 jointly with any other person or governmental unit shall not
82 8 establish or operate an adult day services program and shall
82 9 not represent an adult day services program to the public as
82 10 certified unless and until the program is certified pursuant
82 11 to this chapter. If an adult day services program is
82 12 voluntarily accredited by a recognized accrediting entity with
82 13 specific adult day services standards, the department of
82 14 ~~inspections and appeals~~ shall accept voluntary accreditation
82 15 as the basis for certification by the department. The owner
82 16 or manager of a certified adult day services program shall
82 17 comply with the rules adopted by the department for an adult
82 18 day services program.
82 19 3. An adult day services program that has been certified
82 20 by the department of ~~inspections and appeals~~ shall not alter
82 21 the program, operation, or adult day services for which the
82 22 program is certified in a manner that affects continuing
82 23 certification without prior approval of the department of
82 24 ~~inspections and appeals~~. The department of ~~inspections and~~

82 25 ~~appeals~~ shall specify, by rule, alterations that are subject
82 26 to prior approval.

82 27 4. A department, agency, or officer of this state or of
82 28 any governmental unit shall not pay or approve for payment
82 29 from public funds any amount to an adult day services program
82 30 for an actual or prospective participant, unless the program
82 31 holds a current certificate issued by the department ~~of~~
82 32 ~~inspections and appeals~~ and meets all current requirements for
82 33 certification.

82 34 5. The department shall adopt rules regarding the
82 35 conducting or operating of another business or activity in the
83 1 distinct part of the physical structure in which the adult day
83 2 services program is provided, if the business or activity
83 3 serves persons who are not participants. The rules shall be
83 4 developed in consultation with ~~the department of inspections-~~
83 5 ~~and appeals~~ affected state agencies and affected industry,
83 6 professional, and consumer groups.

83 7 6. The department ~~of elder affairs and the department of~~
83 8 ~~inspections and appeals~~ shall conduct joint training sessions
83 9 for personnel responsible for conducting monitoring
83 10 evaluations and complaint investigations of adult day services
83 11 programs.

83 12 7. Certification of an adult day services program shall be
83 13 for two years unless revoked for good cause by the department
83 14 ~~of inspections and appeals~~.

83 15 Sec. 188. Section 231D.4, subsection 1, Code 2007, is
83 16 amended to read as follows:

83 17 1. Certificates for adult day services programs shall be
83 18 obtained from the department ~~of inspections and appeals~~.
83 19 Applications shall be upon such forms and shall include such
83 20 information as the department ~~of inspections and appeals~~ may
83 21 reasonably require, which may include affirmative evidence of
83 22 compliance with applicable statutes and local ordinances.
83 23 Each application for certification shall be accompanied by the
83 24 appropriate fee.

83 25 Sec. 189. Section 231D.4, subsection 2, paragraph a, Code
83 26 2007, is amended to read as follows:

83 27 a. The department ~~of inspections and appeals~~ shall collect

83 28 adult day services certification fees. The fees shall be
83 29 deposited in the general fund of the state.

83 30 Sec. 190. Section 231D.5, subsection 1, unnumbered
83 31 paragraph 1, Code 2007, is amended to read as follows:
83 32 The department of ~~inspections and appeals~~ may deny,
83 33 suspend, or revoke certification if the department of
83 34 ~~inspections and appeals~~ finds that there has been a
83 35 substantial or repeated failure on the part of the adult day
84 1 services program to comply with this chapter or the rules or
84 2 minimum standards adopted pursuant to this chapter, or for any
84 3 of the following reasons:

84 4 Sec. 191. Section 231D.5, subsection 3, Code 2007, is
84 5 amended to read as follows:

84 6 3. In the case of a certificate applicant or existing
84 7 certificate holder which is an entity other than an
84 8 individual, the department of ~~inspections and appeals~~ may
84 9 deny, suspend, or revoke a certificate if any individual who
84 10 is in a position of control or is an officer of the entity
84 11 engages in any act or omission proscribed by this section.

84 12 Sec. 192. Section 231D.6, Code 2007, is amended to read as
84 13 follows:

84 14 231D.6 NOTICE -- APPEAL -- EMERGENCY PROVISIONS.

84 15 1. The denial, suspension, or revocation of a certificate
84 16 shall be effected by delivering to the applicant or
84 17 certificate holder by restricted certified mail or by personal
84 18 service a notice setting forth the particular reasons for the
84 19 action. The denial, suspension, or revocation shall become
84 20 effective thirty days after the mailing or service of the
84 21 notice, unless the applicant or certificate holder, within the
84 22 thirty-day period, requests a hearing, in writing, of the
84 23 department of ~~inspections and appeals~~, in which case the
84 24 notice shall be deemed to be suspended.

84 25 2. The denial, suspension, or revocation of a certificate
84 26 may be appealed in accordance with rules adopted by the
84 27 department of ~~inspections and appeals~~ in accordance with
84 28 chapter 17A.

84 29 3. When the department of ~~inspections and appeals~~ finds
84 30 that an immediate danger to the health or safety of

84 31 participants in an adult day services program exists which
84 32 requires action on an emergency basis, the department of
84 33 ~~inspections and appeals~~ may direct the removal of all
84 34 participants in the adult day services program and suspend the
84 35 certificate prior to a hearing.

85 1 Sec. 193. Section 231D.7, Code 2007, is amended to read as
85 2 follows:

85 3 231D.7 CONDITIONAL OPERATION.

85 4 The department of ~~inspections and appeals~~ may, as an
85 5 alternative to denial, suspension, or revocation of
85 6 certification under section 231D.5, conditionally issue or
85 7 continue certification dependent upon the performance by the
85 8 adult day services program of reasonable conditions within a
85 9 reasonable period of time as prescribed by the department of
85 10 ~~inspections and appeals~~ so as to permit the program to
85 11 commence or continue the operation of the program pending full
85 12 compliance with this chapter or the rules adopted pursuant to
85 13 this chapter. If the adult day services program does not make
85 14 diligent efforts to comply with the conditions prescribed, the
85 15 department of ~~inspections and appeals~~ may, under the
85 16 proceedings prescribed by this chapter, suspend or revoke the
85 17 certificate. An adult day services program shall not be
85 18 operated under conditional certification for more than one
85 19 year.

85 20 Sec. 194. Section 231D.8, Code 2007, is amended to read as
85 21 follows:

85 22 231D.8 DEPARTMENT NOTIFIED OF CASUALTIES.

85 23 The department of ~~inspections and appeals~~ shall be notified
85 24 within twenty-four hours, by the most expeditious means
85 25 available, of any accident causing substantial injury or
85 26 death, and any substantial fire or natural or other disaster
85 27 occurring at or near an adult day services program.

85 28 Sec. 195. Section 231D.9, Code 2007, is amended to read as
85 29 follows:

85 30 231D.9 COMPLAINTS AND CONFIDENTIALITY.

85 31 1. A person with concerns regarding the operations or
85 32 service delivery of an adult day services program may file a
85 33 complaint with the department of ~~inspections and appeals~~. The

85 34 name of the person who files a complaint with the department
85 35 ~~of inspections and appeals~~ and any personal identifying
86 1 information of the person or any participant identified in the
86 2 complaint shall be kept confidential and shall not be subject
86 3 to discovery, subpoena, or other means of legal compulsion for
86 4 its release to a person other than employees of the department
86 5 ~~of inspections and appeals~~ involved in the investigation of
86 6 the complaint.

86 7 2. The department, ~~in cooperation with the department of~~
86 8 ~~inspections and appeals~~, shall establish procedures for the
86 9 disposition of complaints received in accordance with this
86 10 section.

86 11 Sec. 196. Section 231D.9A, Code 2007, is amended to read
86 12 as follows:

86 13 231D.9A INFORMAL REVIEW.

86 14 1. If an adult day services program contests the findings
86 15 of regulatory insufficiencies of a monitoring evaluation or
86 16 complaint investigation, the program shall submit written
86 17 information, demonstrating that the program was in compliance
86 18 with the applicable requirement at the time of the monitoring
86 19 evaluation or complaint investigation, to the department ~~of~~
86 20 ~~inspections and appeals~~ for review.

86 21 2. The department ~~of inspections and appeals~~ shall review
86 22 the written information submitted within ten working days of
86 23 the receipt of the information. At the conclusion of the
86 24 review, the department ~~of inspections and appeals~~ may affirm,
86 25 modify, or dismiss the regulatory insufficiencies. The
86 26 department ~~of inspections and appeals~~ shall notify the program
86 27 in writing of the decision to affirm, modify, or dismiss the
86 28 regulatory insufficiencies, and the reasons for the decision.

86 29 3. In the case of a complaint investigation, the
86 30 department ~~of inspections and appeals~~ shall also notify the
86 31 complainant, if known, of the decision and the reasons for the
86 32 decision.

86 33 Sec. 197. Section 231D.10, Code 2007, is amended to read
86 34 as follows:

86 35 231D.10 PUBLIC DISCLOSURE OF FINDINGS.

87 1 Upon completion of a monitoring evaluation or complaint

87 2 investigation of an adult day services program by the
87 3 department of ~~inspections and appeals~~ pursuant to this
87 4 chapter, including the conclusion of all administrative
87 5 appeals processes, the department's final findings with
87 6 respect to compliance by the adult day services program with
87 7 requirements for certification shall be made available to the
87 8 public in a readily available form and place. Other
87 9 information relating to an adult day services program that is
87 10 obtained by the department of ~~inspections and appeals~~ which
87 11 does not constitute the department's final findings from a
87 12 monitoring evaluation or complaint investigation of the adult
87 13 day services program shall ~~be made available to the department~~
87 14 ~~upon request to facilitate policy decisions, but shall~~ not be
87 15 made available to the public except in proceedings involving
87 16 the denial, suspension, or revocation of a certificate under
87 17 this chapter.

87 18 Sec. 198. Section 231D.11, subsection 1, Code 2007, is
87 19 amended to read as follows:

87 20 1. A person establishing, conducting, managing, or
87 21 operating an adult day services program without a certificate
87 22 is guilty of a serious misdemeanor. Each day of continuing
87 23 violation after conviction or notice from the department of
87 24 ~~inspections and appeals~~ by certified mail of a violation shall
87 25 be considered a separate offense or chargeable offense. A
87 26 person establishing, conducting, managing, or operating an
87 27 adult day services program without a certificate may be
87 28 temporarily or permanently restrained by a court of competent
87 29 jurisdiction from such activity in an action brought by the
87 30 state.

87 31 Sec. 199. Section 231D.11, subsection 2, paragraph c,
87 32 unnumbered paragraph 1, Code 2007, is amended to read as
87 33 follows:

87 34 Preventing or interfering with or attempting to impede in
87 35 any way any duly authorized representative of the department
88 1 of ~~inspections and appeals~~ in the lawful enforcement of this
88 2 chapter or of the rules adopted pursuant to this chapter. As
88 3 used in this paragraph, "lawful enforcement" includes but is
88 4 not limited to:

88 5 Sec. 200. Section 231D.12, Code 2007, is amended to read
88 6 as follows:
88 7 231D.12 RETALIATION BY ADULT DAY SERVICES PROGRAM
88 8 PROHIBITED.
88 9 1. An adult day services program shall not discriminate or
88 10 retaliate in any way against a participant, participant's
88 11 family, or an employee of the program who has initiated or
88 12 participated in any proceeding authorized by this chapter. An
88 13 adult day services program that violates this section is
88 14 subject to a penalty as established by administrative rule, to
88 15 be assessed and collected by the department of inspections and
88 16 appeals, paid into the state treasury, and credited to the
88 17 general fund of the state.
88 18 2. Any attempt to discharge a participant from an adult
88 19 day services program by whom or upon whose behalf a complaint
88 20 has been submitted to the department of inspections and
88 21 appeals under section 231D.9, within ninety days after the
88 22 filing of the complaint or the conclusion of any proceeding
88 23 resulting from the complaint, shall raise a rebuttable
88 24 presumption that the action was taken by the program in
88 25 retaliation for the filing of the complaint, except in
88 26 situations in which the participant is discharged due to
88 27 changes in health status which exceed the level of care
88 28 offered by the adult day services program or in other
88 29 situations as specified by rule.
88 30 Sec. 201. Section 231D.13, Code 2007, is amended to read
88 31 as follows:
88 32 231D.13 NURSING ASSISTANT AND MEDICATION AIDE --
88 33 CERTIFICATION.
88 34 The department of inspections and appeals, in cooperation
88 35 with other appropriate agencies, shall establish a procedure
89 1 to allow nursing assistants or medication aides to claim work
89 2 within adult day services programs as credit toward sustaining
89 3 the nursing assistant's or medication aide's certification.
89 4 Sec. 202. Section 231D.15, Code 2007, is amended to read
89 5 as follows:
89 6 231D.15 FIRE AND SAFETY STANDARDS.
89 7 The state fire marshal shall adopt rules, in coordination

89 8 with the department of elder affairs and the department of
89 9 inspections and appeals, relating to the certification and
89 10 monitoring of the fire and safety standards of adult day
89 11 services programs.

89 12 Sec. 203. Section 231D.17, subsection 3, Code 2007, is
89 13 amended to read as follows:

89 14 3. Written contractual agreements and related documents
89 15 executed by each participant or participant's legal
89 16 representative shall be maintained by the adult day services
89 17 program in program files from the date of execution until
89 18 three years from the date the written contractual agreement is
89 19 terminated. A copy of the most current written contractual
89 20 agreement shall be provided to members of the general public,
89 21 upon request. Written contractual agreements and related
89 22 documents shall be made available for on-site inspection to
89 23 the department of inspections and appeals upon request and at
89 24 reasonable times.

89 25 Sec. 204. Section 231D.18, subsection 1, unnumbered
89 26 paragraph 1, Code 2007, is amended to read as follows:

89 27 If an adult day services program initiates the involuntary
89 28 transfer of a participant and the action is not a result of a
89 29 monitoring evaluation or complaint investigation by the
89 30 department of inspections and appeals, and if the participant
89 31 or participant's legal representative contests the transfer,
89 32 the following procedure shall apply:

89 33 Sec. 205. Section 231D.18, subsection 2, Code 2007, is
89 34 amended to read as follows:

89 35 2. The department, in consultation with the department of
90 1 inspections and appeals affected state agencies and affected
90 2 industry, professional, and consumer groups, shall establish
90 3 by rule, in accordance with chapter 17A, procedures to be
90 4 followed, including the opportunity for hearing, when the
90 5 transfer of a participant results from a monitoring evaluation
90 6 or complaint investigation conducted by the department of
90 7 inspections and appeals.

90 8 Sec. 206. ADMINISTRATIVE RULES -- TRANSITION PROVISIONS.

90 9 1. Any rule, regulation, form, order, or directive
90 10 promulgated by the department of elder affairs and in effect

90 11 on the effective date of this Act shall continue in full force
90 12 and effect until amended, repealed, or supplemented by
90 13 affirmative action of the department of inspections and
90 14 appeals under the duties and powers of the department of
90 15 inspections and appeals as established in this Act and under
90 16 the procedure established in subsection 2.

90 17 Any license, certification, or permit issued by the
90 18 department of elder affairs and in effect on the effective
90 19 date of this Act shall continue in full force and effect until
90 20 expiration or renewal.

90 21 2. In regard to updating references and format in the Iowa
90 22 administrative code in order to correspond to the
90 23 restructuring of state government as established in this Act,
90 24 the administrative rules coordinator and the administrative
90 25 rules review committee, in consultation with the
90 26 administrative code editor, shall jointly develop a schedule
90 27 for the necessary updating of the Iowa administrative code.

90 28 DIVISION VIII
90 29 FOOD INSPECTIONS

90 30 Sec. 207. Section 137C.6, Code 2007, is amended to read as
90 31 follows:

90 32 137C.6 AUTHORITY TO ENFORCE.

90 33 1. The director shall regulate, license, and inspect
90 34 hotels and enforce the Iowa hotel sanitation code in Iowa.
90 35 Municipal corporations shall not regulate, license, inspect,
91 1 or collect license fees from hotels except as provided for in
91 2 the Iowa hotel sanitation code.

91 3 2. If a municipal corporation wants its local board of
91 4 health to license, inspect, and otherwise enforce the Iowa
91 5 hotel sanitation code within its jurisdiction, the municipal
91 6 corporation may enter into an agreement to do so with the
91 7 director. The director may enter into the agreement if the
91 8 director finds that the local board of health has adequate
91 9 resources to perform the required functions. A municipal

CODE: Eliminates a specific reference to the Iowa Food Code as the manual to follow when inspecting the sanitary condition of hotels and food establishments and replaces it with a more generic statement that rules setting minimum standards to protect consumers from foodborne illness adopted by the Department of Inspections and Appeals (DIA) will be used for that purpose.

91 10 corporation may only enter into an agreement to enforce the
91 11 Iowa hotel sanitation code if it also agrees to enforce the
91 12 ~~Iowa food code~~ rules setting minimum standards to protect
91 13 consumers from foodborne illness adopted pursuant to section
91 14 ~~137F.3~~ 137F.2.

91 15 3. A local board of health that is responsible for
91 16 enforcing the Iowa hotel sanitation code within its
91 17 jurisdiction pursuant to an agreement, shall make an annual
91 18 report to the director providing the following information:

91 19 4. a. The total number of hotel licenses granted or
91 20 renewed during the year.

91 21 ~~2. b.~~ b. The number of hotel licenses granted or renewed
91 22 during the year broken down into the following categories:

91 23 ~~a. (1)~~ (1) Hotels containing fifteen guest rooms or less.

91 24 ~~b. (2)~~ (2) Hotels containing more than fifteen but less than
91 25 thirty-one guest rooms.

91 26 ~~c. (3)~~ (3) Hotels containing more than thirty but less than
91 27 seventy-six guest rooms.

91 28 ~~d. (4)~~ (4) Hotels containing more than seventy-five but less
91 29 than one hundred fifty guest rooms.

91 30 ~~e. (5)~~ (5) Hotels containing one hundred fifty or more guest
91 31 rooms.

91 32 ~~3. c.~~ c. The amount of money collected in license fees
91 33 during the year.

91 34 4. d. Other information the director requests.

91 35 4. The director shall monitor local boards of health to
92 1 determine if they are enforcing the Iowa hotel sanitation code
92 2 within their respective jurisdictions. If the director
92 3 determines that the Iowa hotel sanitation code is enforced by
92 4 a local board of health, such enforcement shall be accepted in
92 5 lieu of enforcement by the department in that jurisdiction.
92 6 If the director determines that the Iowa hotel sanitation code
92 7 is not enforced by a local board of health, the director may
92 8 rescind the agreement after reasonable notice and an
92 9 opportunity for a hearing. If the agreement is rescinded, the
92 10 director shall assume responsibility for enforcement in the
92 11 jurisdiction involved.

92 12 Sec. 208. Section 137C.9, Code 2007, is amended to read as
 92 13 follows:
 92 14 137C.9 LICENSE FEES.
 92 15 1. Either the department or the municipal corporation
 92 16 shall collect the following annual license fees:
 92 17 4. a. For a hotel containing fifteen guest rooms or less,
 92 18 ~~twenty~~ twenty-seven dollars.
 92 19 2. b. For a hotel containing more than fifteen but less
 92 20 than thirty-one guest rooms, ~~thirty~~ forty dollars and fifty
 92 21 cents.
 92 22 3. c. For a hotel containing more than thirty but less
 92 23 than seventy-six guest rooms, ~~forty~~ fifty-four dollars.
 92 24 4. d. For a hotel containing more than seventy-five but
 92 25 less than one hundred fifty guest rooms, ~~fifty~~ fifty-seven
 92 26 dollars and fifty cents.
 92 27 5. e. For a hotel containing one hundred fifty or more
 92 28 guest rooms, ~~seventy-five~~ one hundred one dollars and
 92 29 twenty-five cents.
 92 30 2. Fees collected by the department shall be deposited in
 92 31 the general fund of the state. Fees collected by a municipal
 92 32 corporation shall be retained by it and for its use.

CODE: Increases the fees for inspection of hotels of different occupancy levels by various amounts.

DETAIL: Fees collected by the Department of Inspections and Appeals are deposited in the General Fund. Municipal corporations retain the fees that they collect.

92 33 Sec. 209. Section 137D.2, subsection 1, Code 2007, is
 92 34 amended to read as follows:
 92 35 1. A person shall not open or operate a home food
 93 1 establishment until a license has been obtained from the
 93 2 department of inspections and appeals. The department shall
 93 3 collect a fee of ~~twenty-five~~ thirty-three dollars and
 93 4 seventy-five cents for a license. After collection, the fees
 93 5 shall be deposited in the general fund of the state. A
 93 6 license shall expire one year from date of issue. A license
 93 7 is renewable.

CODE: Increases the fee for operating a home food establishment.

DETAIL: Fees collected by the Department of Inspections and Appeals are deposited in the General Fund.

FISCAL IMPACT: The Department estimates there will be an increase in fee revenue from the inspection of home food operations of \$428.75.

93 8 Sec. 210. Section 137F.1, subsection 7, Code 2007, is
 93 9 amended by striking the subsection.

CODE: Repeals a reference to the Food Code as the 1997 U.S. Food and Drug Administration Food Code.

93 10 Sec. 211. Section 137F.1, subsection 8, unnumbered
93 11 paragraph 1, Code 2007, is amended to read as follows:
93 12 "Food establishment" means an operation that stores,
93 13 prepares, packages, serves, vends, or otherwise provides food
93 14 for human consumption and includes a food service operation in
93 15 a salvage or distressed food operation, school, summer camp,
93 16 residential service substance abuse treatment facility,
93 17 halfway house substance abuse treatment facility, correctional
93 18 facility operated by the department of corrections, the state
93 19 training school, or the Iowa juvenile home. "Food
93 20 establishment" does not include the following:

CODE: Adds a salvage or distressed food operation to the definition of a "food establishment."

93 21 Sec. 212. Section 137F.2, Code 2007, is amended by
93 22 striking the section and inserting in lieu thereof the
93 23 following:
93 24 137F.2 ADOPTION BY RULE.
93 25 The department shall, in accordance with chapter 17A, adopt
93 26 rules setting minimum standards for entities covered under
93 27 this chapter to protect consumers from foodborne illness. In
93 28 so doing, the department may adopt by reference, with or
93 29 without amendment, the United States food and drug
93 30 administration food code, which shall be specified by title
93 31 and edition, date of publication, or similar information. The
93 32 rules and standards shall be formulated in consultation with
93 33 municipal corporations under agreement with the department,
93 34 affected state agencies, and industry, professional, and
93 35 consumer groups.

CODE: Repeals Section 137F.2, Code of Iowa, that requires the Director of the DIA to adopt a Food Code and making exceptions and replaces it with more generic language requiring the adoption of rules setting minimum standards to protect consumers from foodborne illnesses.

94 1 Sec. 213. Section 137F.3, Code 2007, is amended to read as
94 2 follows:
94 3 137F.3 AUTHORITY TO ENFORCE.
94 4 1. The director shall regulate, license, and inspect food
94 5 establishments and food processing plants and enforce this
94 6 chapter pursuant to rules adopted by the department in
94 7 accordance with chapter 17A. Municipal corporations shall not
94 8 regulate, license, inspect, or collect license fees from food

CODE: Adds corresponding language specifying that municipal corporations will contract to implement the rules setting minimum standards to protect consumers from foodborne illnesses. Adds an annual reporting requirement that municipal corporations include the amount expended to enforce the rules and specifies that if the municipal corporation is not complying with the rules, the DIA may rescind the contract after reasonable notice and an opportunity for a hearing.

94 9 establishments and food processing plants, except as provided
94 10 in this section.

94 11 2. A municipal corporation may enter into an agreement
94 12 with the director to provide that the municipal corporation
94 13 shall license, inspect, and otherwise enforce this chapter
94 14 within its jurisdiction. The director may enter into the
94 15 agreement if the director finds that the municipal corporation
94 16 has adequate resources to perform the required functions. A
94 17 municipal corporation may only enter into an agreement to
94 18 enforce the ~~Iowa food code~~ rules setting minimum standards to
94 19 protect consumers from foodborne illness adopted pursuant to
94 20 ~~this section~~ 137F.2 if it also agrees to enforce the Iowa
94 21 hotel sanitation code pursuant to section 137C.6. However,
94 22 the department shall license and inspect all food processing
94 23 plants which manufacture, package, or label food products. A
94 24 municipal corporation may license and inspect, as authorized
94 25 by this section, food processing plants whose operations are
94 26 limited to the storage of food products.

94 27 3. If the director enters into an agreement with a
94 28 municipal corporation as provided by this section, the
94 29 director shall provide that the inspection practices of a
94 30 municipal corporation are spot-checked on a regular basis.

94 31 4. A municipal corporation that is responsible for
94 32 enforcing this chapter within its jurisdiction pursuant to an
94 33 agreement shall make an annual report to the director
94 34 providing the following information:

94 35 4. a. The total number of licenses granted or renewed by
95 1 the municipal corporation under this chapter during the year.

95 2 ~~2.~~ b. The number of licenses granted or renewed by the
95 3 municipal corporation under this chapter during the year in
95 4 each of the following categories:

95 5 ~~a.~~ (1) Food establishments.

95 6 ~~b.~~ (2) Food processing plants.

95 7 ~~c.~~ (3) Mobile food units and pushcarts.

95 8 ~~d.~~ (4) Temporary food establishments.

95 9 ~~e.~~ (5) Vending machines.

95 10 ~~3.~~ c. The amount of money collected in license fees
95 11 during the year.

95 12 d. The amount expended to perform the functions required
 95 13 under the agreement, submitted on a form prescribed by the
 95 14 department.
 95 15 4. e. Other information the director requests.
 95 16 5. The director shall monitor municipal corporations which
 95 17 have entered into an agreement pursuant to this section to
 95 18 determine if they are enforcing this chapter within their
 95 19 respective jurisdictions. If the director determines that
 95 20 this chapter is not enforced by a municipal corporation, the
 95 21 director may rescind the agreement after reasonable notice and
 95 22 an opportunity for a hearing. If the agreement is rescinded,
 95 23 the director shall assume responsibility for enforcement in
 95 24 the jurisdiction involved.
 95 25 6. The inspection staff of a municipal corporation that
 95 26 has entered into an agreement with the director to enforce
 95 27 this chapter shall be required by the department to apply the
 95 28 current rules setting minimum standards to protect consumers
 95 29 from foodborne illness adopted pursuant to section 137F.2 to
 95 30 ensure consistency in application of the rules. A municipal
 95 31 corporation's failure to comply may result in the department
 95 32 rescinding the agreement with the municipal corporation, after
 95 33 reasonable notice and an opportunity for a hearing.

95 34 Sec. 214. Section 137F.3A, Code 2007, is amended to read
 95 35 as follows:
 96 1 137F.3A MUNICIPAL CORPORATION INSPECTIONS -- CONTINGENT
 96 2 APPROPRIATION.
 96 3 1. If a municipal corporation operating pursuant to a
 96 4 chapter 28E agreement with the department of inspections and
 96 5 appeals to enforce this chapter and chapters 137C and 137D
 96 6 either fails to renew the agreement effective after July 1,
 96 7 2005, but before July 1, 2007, April 1, 2007, or discontinues
 96 8 prior to July 1, 2007, after April 1, 2007, enforcement
 96 9 activities in one or more jurisdictions during the agreement
 96 10 time frame, or the department of inspections and appeals
 96 11 cancels an agreement prior to July 1, 2007, after April 1,
 96 12 2007, due to noncompliance with the terms of the agreement,

CODE: Contingent appropriation to the DIA for conducting food establishment inspections when a municipal corporation either stops conducting the required inspections or the DIA terminates the contract with the corporation due to noncompliance with the terms of the contract.

DETAIL: Permits the DIA to retain the fees charged for the inspections and hire additional staff with approval of the Department of Management until such time as the General Assembly makes an appropriation to the Department for this purpose.

96 13 the department of inspections and appeals may employ
 96 14 additional full-time equivalent positions ~~for the fiscal years-~~
 96 15 ~~ending prior to July 1, 2007,~~ to enforce the provisions of the
 96 16 chapters, with the approval of the department of management.
 96 17 Before approval is given, the director of the department of
 96 18 management shall determine that the expenses exceed the funds
 96 19 budgeted by the general assembly for food inspections to the
 96 20 department of inspections and appeals. The department of
 96 21 inspections and appeals may hire no more than one full-time
 96 22 equivalent position for each six hundred inspections required
 96 23 pursuant to this chapter and chapters 137C and 137D.
 96 24 2. Notwithstanding chapter 137D, and sections 137C.9 and
 96 25 137F.6, if the conditions described in this section are met,
 96 26 fees imposed pursuant to that chapter and those sections shall
 96 27 be retained by and are appropriated to the department of
 96 28 inspections and appeals ~~for the each fiscal years ending prior-~~
 96 29 ~~to July 1, 2007,~~ year to provide for salaries, support,
 96 30 maintenance, and miscellaneous purposes associated with the
 96 31 additional inspections. The appropriation made in this
 96 32 subsection is not applicable in a fiscal year for which the
 96 33 general assembly enacts an appropriation made for the purposes
 96 34 described in this subsection.
 96 35 ~~3. This section is repealed July 1, 2007.~~

97 1 Sec. 215. Section 137F.6, Code 2007, is amended to read as
 97 2 follows:
 97 3 137F.6 LICENSE FEES.
 97 4 1. The regulatory authority shall collect the following
 97 5 annual license fees:
 97 6 4- a. For a mobile food unit or pushcart, ~~twenty~~
 97 7 twenty-seven dollars.
 97 8 2- b. For a temporary food establishment per fixed
 97 9 location, ~~twenty-five~~ thirty-three dollars and fifty cents.
 97 10 3- c. For a vending machine, twenty dollars for the first
 97 11 machine and five dollars for each additional machine.
 97 12 4- d. For a food establishment which prepares or serves
 97 13 food for individual portion service intended for consumption

CODE: Increases the fees for inspections of food establishment by various amounts and provides for a reduction in the fee if an establishment has had a person in charge for the entire previous twelve-month period that holds an active certified food protection manager certificate from a program approved by the Conference on Food Protection and the establishment has not been issued a critical violation during the previous twelve-month period.

FISCAL IMPACT: The increase in food inspection fees is expected to result in an additional \$240,000 in receipts to the General Fund in FY 2008.

97 14 on-the-premises, the annual license fee shall correspond to
97 15 the annual gross food and beverage sales of the food
97 16 establishment, as follows:

97 17 a- ~~(1)~~ Annual gross sales of under fifty thousand
97 18 dollars, ~~fifty sixty-seven~~ dollars and fifty cents.

97 19 b- ~~(2)~~ Annual gross sales of at least fifty thousand
97 20 dollars but less than one hundred thousand dollars,
97 21 ~~eighty five one hundred fourteen~~ dollars and fifty cents.

97 22 c- ~~(3)~~ Annual gross sales of at least one hundred
97 23 thousand dollars but less than two hundred fifty thousand
97 24 dollars, ~~one hundred seventy five~~ two hundred thirty-six
97 25 dollars and twenty-five cents.

97 26 d- ~~(4)~~ Annual gross sales of two hundred fifty thousand
97 27 dollars but less than five hundred thousand dollars, two
97 28 hundred ~~seventy-five~~ dollars.

97 29 e- ~~(5)~~ Annual gross sales of five hundred thousand
97 30 dollars or more, ~~two hundred twenty five~~ three hundred three
97 31 dollars and seventy-five cents.

97 32 5- e. For a food establishment which sells food or food
97 33 products to consumer customers intended for preparation or
97 34 consumption off-the-premises, the annual license fee shall
97 35 correspond to the annual gross food and beverage sales of the

98 1 food establishment, as follows:

98 2 a- ~~(1)~~ Annual gross sales of under ten thousand dollars,
98 3 ~~thirty forty~~ dollars and fifty cents.

98 4 b- ~~(2)~~ Annual gross sales of at least ten thousand
98 5 dollars but less than two hundred fifty thousand dollars,
98 6 ~~seventy five one hundred one~~ dollars and twenty-five cents.

98 7 c- ~~(3)~~ Annual gross sales of at least two hundred fifty
98 8 thousand dollars but less than five hundred thousand dollars,
98 9 ~~one hundred fifteen~~ one hundred fifty-five dollars and
98 10 twenty-five cents.

98 11 d- ~~(4)~~ Annual gross sales of at least five hundred
98 12 thousand dollars but less than seven hundred fifty thousand
98 13 dollars, ~~one hundred fifty~~ two hundred two dollars and fifty
98 14 cents.

98 15 e- ~~(5)~~ Annual gross sales of seven hundred fifty thousand
98 16 dollars or more, ~~two hundred twenty five~~ three hundred three

98 17 dollars and seventy-five cents.
98 18 ~~6. f.~~ For a food processing plant, the annual license fee
98 19 shall correspond to the annual gross food and beverage sales
98 20 of the food processing plant, as follows:
98 21 ~~a.~~ (1) Annual gross sales of under fifty thousand
98 22 dollars, ~~fifty sixty-seven~~ dollars and fifty cents.
98 23 ~~b.~~ (2) Annual gross sales of at least fifty thousand
98 24 dollars but less than two hundred fifty thousand dollars, one
98 25 hundred ~~thirty-five~~ dollars.
98 26 ~~c.~~ (3) Annual gross sales of at least two hundred fifty
98 27 thousand dollars but less than five hundred thousand dollars,
98 28 ~~one hundred fifty two hundred two~~ dollars and fifty cents.
98 29 ~~d.~~ (4) Annual gross sales of five hundred thousand
98 30 dollars or more, ~~two hundred fifty three hundred thirty-seven~~
98 31 dollars and fifty cents.
98 32 ~~7. g.~~ For a farmers market where potentially hazardous
98 33 food is sold or distributed, one seasonal license fee of one
98 34 hundred dollars for each vendor on a countywide basis.
98 35 A food establishment covered by ~~subsections 4 and 5~~
99 1 paragraphs "d" and "e" shall be assessed license fees not to
99 2 exceed seventy-five percent of the total fees applicable under
99 3 both ~~subsections~~ paragraphs.
99 4 2. If an establishment licensed under subsection 1,
99 5 paragraph "d" or "e", has had a person in charge for the
99 6 entire previous twelve-month period who holds an active
99 7 certified food protection manager certificate from a program
99 8 approved by the conference on food protection and the
99 9 establishment has not been issued a critical violation during
99 10 the previous twelve-month period, the establishment's license
99 11 fee for the current renewal period shall be reduced by fifty
99 12 dollars.
99 13 3. Fees collected by the department shall be deposited in
99 14 the general fund of the state. Fees collected by a municipal
99 15 corporation shall be retained by the municipal corporation for
99 16 regulation of food establishments and food processing plants
99 17 licensed under this chapter.
99 18 4. Each vending machine licensed under this chapter shall
99 19 bear a readily visible identification tag or decal provided by

99 20 the licensee, containing the licensee's business address and
 99 21 phone number, and a company license number assigned by the
 99 22 regulatory authority.

99 23 Sec. 216. Section 137F.10, Code 2007, is amended to read
 99 24 as follows:

99 25 137F.10 REGULAR INSPECTIONS.

99 26 The appropriate regulatory authority shall provide for the
 99 27 inspection of each food establishment and food processing
 99 28 plant in this state in accordance with this chapter and with
 99 29 rules adopted pursuant to this chapter in accordance with
 99 30 chapter 17A. A regulatory authority may enter a food
 99 31 establishment or food processing plant at any reasonable hour
 99 32 to conduct an inspection. The manager or person in charge of
 99 33 the food establishment or food processing plant shall afford
 99 34 free access to every part of the premises and render all aid
 99 35 and assistance necessary to enable the regulatory authority to
 100 1 make a thorough and complete inspection. As part of the
 100 2 inspection process, the regulatory authority shall provide an
 100 3 explanation of the violation or violations cited and provide
 100 4 guidance as to actions for correction and elimination of the
 100 5 violation or violations.

CODE: Specifies that, as part of the inspection process, the authority conducting the inspections is required to explain the violation and how the violation can be corrected and eliminated.

100 6 Sec. 217. NEW SECTION. 137F.11A POSTING OF INSPECTION
 100 7 REPORTS.

100 8 An establishment inspected under this chapter shall post
 100 9 the most recent routine inspection report, along with any
 100 10 current complaint or reinspection reports, in a location at
 100 11 the establishment that is readily visible to the public.

CODE: Requires an establishment to post the most recent inspection report, along with any current complaint or reinspection reports, in a location readily visible to the public.

100 12 Sec. 218. Section 196.3, Code 2007, is amended to read as
 100 13 follows:

100 14 196.3 EGG HANDLER'S LICENSE AND FEE.

100 15 1. Every egg handler shall obtain an annual license from
 100 16 the department. The fee for the license shall be determined
 100 17 on the basis of the total number of eggs purchased or handled

CODE: Increases the fees for egg handlers based on the volume of eggs handled.

FISCAL IMPACT: The estimated revenue from these fee increases is \$2,600 per year.

100 18 during the preceding month of April in each calendar year as
 100 19 follows:
 100 20 4. a. Less than one hundred twenty-five
 100 21 cases \$ ~~15.00~~
 100 22 20.20
 100 23 2. b. One hundred twenty-five cases or
 100 24 more but less than two hundred fifty
 100 25 cases \$ ~~35.00~~
 100 26 47.25
 100 27 3. c. Two hundred fifty cases or more but
 100 28 less than one thousand cases \$ ~~50.00~~
 100 29 67.50
 100 30 4. d. One thousand cases or more but less
 100 31 than five thousand cases \$~~100.00~~
 100 32 135.00
 100 33 5. e. Five thousand cases or more but less
 100 34 than ten thousand cases \$~~175.00~~
 100 35 236.25
 101 1 6. f. Ten thousand cases or more \$~~250.00~~
 101 2 337.50
 101 3 2. The license shall expire one year after its date of
 101 4 issue. For the purpose of determining fees, a case shall be
 101 5 thirty dozen eggs. All fees collected shall be remitted to
 101 6 the treasurer of state for deposit in the general fund of the
 101 7 state.
 101 8 3. If an egg handler is not operating during the month of
 101 9 April, the department shall estimate the volume of eggs
 101 10 purchased or handled, or both, and may revise the fee based on
 101 11 three months of operation.

101 12 Sec. 219. Section 331.756, subsection 32, Code 2007, is
 101 13 amended to read as follows:
 101 14 32. Assist the department of inspections and appeals in
 101 15 the enforcement of the ~~lowa food code rules setting minimum~~
 101 16 standards to protect consumers from foodborne illness adopted
 101 17 pursuant to section 137F.2 and the Iowa hotel sanitation code,
 101 18 as provided in sections 137F.19 and 137C.30.

CODE: Eliminates a specific reference to the Iowa Food Code as the manual to follow when a county attorney assists the Department of Inspections and Appeals (DIA) in enforcing food and hotel sanitation laws and replaces it with a more generic statement about the rules that set minimum standards.

<p>101 19 Sec. 220. FOOD CODE APPLICABILITY -- TEMPORARY PROVISIONS. 101 20 Pending the adoption of rules pursuant to section 137F.2, as 101 21 amended by this division of this Act, the 1997 edition of the 101 22 United States food and drug administration food code, with the 101 23 amendments or exceptions thereto in effect prior to the 101 24 effective date of this division of this Act, shall continue in 101 25 effect.</p>	<p>Provides transitional inspection rule requirements until the DIA can adopt the new rules.</p>
<p>101 26 Sec. 221. EFFECTIVE DATE. The section of this division of 101 27 this Act amending section 137F.3A, being deemed of immediate 101 28 importance, takes effect upon enactment.</p>	<p>Section 214 providing for a contingent appropriation to the DIA is effective on enactment.</p>
<p>101 29 DIVISION IX 101 30 ABSENTEE BALLOT AFFIDAVITS</p>	
<p>101 31 Sec. 222. Section 39A.4, subsection 1, paragraph c, 101 32 subparagraphs (11) and (12), Code 2007, as amended by 2007 101 33 Iowa Acts, House File 848, section 20, are amended to read as 101 34 follows: 101 35 (11) Returning a voted absentee ballot, by mail or in 102 1 person, to the commissioner's office and the person returning 102 2 the ballot is not the voter, an immediate family member 102 3 authorized by the voter to return the ballot, an absentee 102 4 ballot courier <u>the voter's designee, or</u> a special precinct 102 5 election official designated pursuant to section 53.22, 102 6 subsection 1, or the designee of a voter described in section 102 7 53.22, subsection 5. 102 8 (12) Making a false or untrue statement reporting that a 102 9 voted absentee ballot was returned to the commissioner's 102 10 office, by mail or in person, by a person other than the 102 11 voter, an immediate family member authorized by the voter to 102 12 return the ballot, an absentee ballot courier <u>the voter's</u> 102 13 <u>designee, or</u> a special precinct election official designated 102 14 pursuant to section 53.22, subsection 1, or the designee of a 102 15 voter described in section 53.22, subsection 5.</p>	<p>CODE: Makes changes regarding the voter's designee when returning an absentee ballot.</p>

102 16 Sec. 223. Section 53.8, subsection 2, Code 2007, as
102 17 amended by 2007 Iowa Acts, House File 848, section 25, is
102 18 amended to read as follows:

102 19 2. a. The commissioner shall enclose with the absentee
102 20 ballot a statement informing the applicant that the sealed
102 21 carrier envelope may be mailed to the commissioner by the
102 22 registered voter or the voter's designee or may be personally
102 23 delivered to the commissioner's office by the registered voter
102 24 or the voter's designee. The statement shall also inform the
102 25 voter that the voter may request that the voter's designee
102 26 complete a receipt when retrieving the ballot from the voter.
102 27 A blank receipt shall be enclosed with the absentee ballot.

102 28 b. If an application is received so late that it is
102 29 unlikely that the absentee ballot can be returned in time to
102 30 be counted on election day, the commissioner shall enclose
102 31 with the absentee ballot a statement to that effect. The
102 32 statement shall also point out that it is possible for the
102 33 applicant, an immediate family member of the applicant, or the
102 34 applicant's designee if the absentee ballot is voted by a
102 35 voter described in section 53.22, subsection 5, to personally
103 1 deliver the completed absentee ballot to the office of the
103 2 commissioner at any time before the closing of the polls on
103 3 election day. The statement shall also point out that it is
103 4 possible for an absentee ballot courier to personally deliver
103 5 the completed absentee ballot to the office of the
103 6 commissioner within seventy-two hours of retrieving the
103 7 completed ballot or before the closing of the polls on
103 8 election day, whichever is earlier.

103 9 Sec. 224. Section 53.10, unnumbered paragraph 2, Code
103 10 2007, is amended to read as follows:

103 11 Each person who wishes to vote by absentee ballot at the
103 12 commissioner's office shall first sign an application for a
103 13 ballot including the following information: name, current
103 14 address, and the election for which the ballot is requested.
103 15 The person may report a change of address or other information
103 16 on the person's voter registration record at that time. The

CODE: Specifies changes regarding the return of an absentee ballot.

CODE: Provides an absentee voter with an affidavit envelope.

103 17 registered voter shall immediately mark the ballot; enclose
103 18 the ballot in a secrecy envelope, if necessary, and seal it in
103 19 ~~a ballot~~ an affidavit envelope; subscribe to the affidavit on
103 20 the reverse side of the envelope; and return the absentee
103 21 ballot to the commissioner. The commissioner shall record the
103 22 numbers appearing on the application and ~~ballot~~ affidavit
103 23 envelope along with the name of the registered voter.

103 24 Sec. 225. Section 53.17, subsection 1, paragraph a, Code
103 25 2007, as amended by 2007 Iowa Acts, House File 848, section
103 26 27, is amended by striking the paragraph and inserting in lieu
103 27 thereof the following:

103 28 a. The sealed carrier envelope may be delivered by the
103 29 registered voter, by the voter's designee, or by the special
103 30 precinct election officials designated pursuant to section
103 31 53.22, subsection 1, to the commissioner's office no later
103 32 than the time the polls are closed on election day. However,
103 33 if delivered by the voter's designee, the envelope shall be
103 34 delivered within seventy-two hours of retrieving it from the
103 35 voter or before the closing of the polls on election day,
104 1 whichever is earlier.

CODE: Specifies persons that can deliver a sealed carrier envelope that contains an absentee ballot.

104 2 Sec. 226. Section 53.17, subsection 1, paragraphs b and c,
104 3 Code 2007, are amended to read as follows:

104 4 b. The sealed carrier envelope may be mailed to the
104 5 commissioner by the registered voter, ~~by an immediate family-~~
104 6 ~~member of the voter,~~ or by the voter's designee ~~if the ballot-~~
104 7 ~~is voted by a voter described in section 53.22, subsection 5.~~
104 8 If mailed by the voter's designee, the envelope must be mailed
104 9 within seventy-two hours of retrieving it from the voter or
104 10 within time to be postmarked not later than the day before the
104 11 election, whichever is earlier.

104 12 ~~c. The sealed carrier envelope may be delivered to the~~
104 13 ~~commissioner by an absentee ballot courier, but only as-~~
104 14 ~~provided in subsection 4.~~

CODE: Changes time requirements for mailing an absentee ballot by a voter's designee.

104 15 Sec. 227. Section 53.17, subsection 4, Code 2007, is
104 16 amended by striking the subsection and inserting in lieu
104 17 thereof the following:
104 18 4. When a person designated by the voter retrieves a
104 19 completed absentee ballot from the voter, the designee shall,
104 20 upon request of the voter, fill out a receipt to be retained
104 21 by the voter. The state commissioner shall prescribe a form
104 22 for receipts required by this subsection. The receipt shall
104 23 include all of the following:
104 24 a. The name of the voter's designee.
104 25 b. The date and time the completed absentee ballot was
104 26 received from the voter.
104 27 c. The name and date of the election for which the
104 28 absentee ballot is being voted.
104 29 d. The name of the political party, candidate, or
104 30 committee for which the designee is acting as an actual or
104 31 implied agent, if applicable.
104 32 e. A telephone number at which the voter's designee may be
104 33 contacted.
104 34 f. A statement that the completed absentee ballot will be
104 35 delivered to the commissioner's office within seventy-two
105 1 hours of retrieving it from the voter or before the closing of
105 2 the polls on election day, whichever is earlier, or that the
105 3 completed absentee ballot will be mailed to the commissioner
105 4 within seventy-two hours of retrieving it from the voter or
105 5 within time to be postmarked not later than the day before the
105 6 election, whichever is earlier.

105 7 Sec. 228. Section 53.17, subsection 5, Code 2007, is
105 8 amended by striking the subsection.

105 9 Sec. 229. Section 53.18, Code 2007, is amended to read as
105 10 follows:
105 11 53.18 MANNER OF PRESERVING BALLOT AND APPLICATION --

CODE: Specifies information needed for an absentee ballot.

CODE: Strikes the requirement that a statement must be delivered to the Election Commissioner's Office 72 hours or before the closing of the poll, whichever is earlier, regarding the delivery of an absentee ballot.

CODE: Specifies procedures for reviewing and correcting a deficiency on an absentee ballot.

105 12 REVIEW OF AFFIDAVIT -- REPLACEMENT BALLOTS.
105 13 1. Upon receipt of When the return carrier envelope
105 14 containing the completed absentee ballot is received by the
105 15 commissioner, the commissioner shall at once record the number-
105 16 appearing on the application and return carrier envelope and
105 17 time of receipt of such ballot and attach the elector's-
105 18 application to the unopened envelope. Absentee ballots shall
105 19 be stored in a secure place until they are delivered to the
105 20 absentee and special voters precinct board.
105 21 2. If the commissioner receives the return carrier
105 22 envelope containing the completed absentee ballot by five p.m.
105 23 on the Saturday before the election for general and primary
105 24 elections and by five p.m. on the Friday before the election
105 25 for all other elections, the commissioner shall open the
105 26 envelope to review the affidavit for any deficiencies. If the
105 27 affidavit contains a deficiency that would cause the ballot to
105 28 be rejected, the commissioner shall, within twenty-four hours
105 29 of the time the envelope was received, notify the voter of
105 30 that fact and that the voter may correct the deficiency by
105 31 five p.m. on the day before the election.
105 32 3. If the affidavit envelope is open when received by the
105 33 commissioner, or has been opened and resealed, or if the
105 34 ballot is not enclosed in the affidavit envelope, the
105 35 commissioner shall immediately notify the voter of that fact
106 1 and that the voter's absentee ballot shall not be counted
106 2 unless the voter applies for a replacement ballot and returns
106 3 the replacement ballot in the time permitted under section
106 4 53.17, subsection 2. The replacement ballot application shall
106 5 be the same as is required for an application under section
106 6 53.2. If the information on the replacement ballot
106 7 application matches the information on the original
106 8 application, the voter shall be allowed to complete a
106 9 replacement absentee ballot. The same serial number that was
106 10 assigned to the records of the original absentee ballot
106 11 application shall be used on the envelope and records of the
106 12 replacement ballot. The affidavit envelope containing the
106 13 completed replacement ballot shall be marked "Replacement
106 14 ballot". The affidavit envelope containing the original

106 15 ballot shall be marked "Defective ballot" and the replacement
 106 16 ballot and replacement ballot application shall be attached to
 106 17 the original application and affidavit envelope containing the
 106 18 original ballot and shall be stored in a secure place until
 106 19 they are delivered to the absentee and special voters precinct
 106 20 board, notwithstanding sections 53.26 and 53.27.
 106 21 4. The state commissioner of elections shall adopt rules
 106 22 for implementation of this section.

106 23 Sec. 230. Section 53.19, unnumbered paragraph 3, Code
 106 24 2007, is amended to read as follows:
 106 25 However, any registered voter who has received an absentee
 106 26 ballot and not returned it may surrender the absentee ballot
 106 27 to the precinct officials and vote in person at the polls.
 106 28 The precinct officials shall mark the uncast absentee ballot
 106 29 "void" and return it to the commissioner. Any registered
 106 30 voter who has been sent an absentee ballot by mail but for any
 106 31 reason has not received it or who has not brought the ballot
 106 32 to the polls may appear at the voter's precinct polling place
 106 33 on election day and shall cast a ballot in accordance with
 106 34 section 49.81. Any registered voter who has been notified by
 106 35 the commissioner pursuant to section 53.18 of the need to
 107 1 correct a deficiency on the affidavit or to apply for and vote
 107 2 a replacement absentee ballot and who has not corrected the
 107 3 deficiency or voted a replacement absentee ballot may appear
 107 4 at the voter's precinct polling place on election day and
 107 5 shall cast a ballot in accordance with section 49.81.

CODE: Specifies procedures for correcting a deficiency on an absentee ballot.

107 6 Sec. 231. Section 53.21, unnumbered paragraph 4, Code
 107 7 2007, is amended to read as follows:
 107 8 The voter shall enclose one copy of the above statement in
 107 9 the return carrier envelope with the ~~ballot~~ affidavit envelope
 107 10 and retain a copy for the voter's records.

CODE: Changes reference from "ballot" to "affidavit."

107 11 Sec. 232. Section 53.23, subsection 3, Code 2007, is

CODE: Specifies procedures for counting absentee ballots.

107 12 amended to read as follows:
107 13 3. a. The commissioner shall set the convening time for
107 14 the board, allowing a reasonable amount of time to complete
107 15 counting all absentee ballots by ten p.m. on election day.
107 16 The commissioner may direct the board to meet on the day
107 17 before the election solely for the purpose of reviewing the
107 18 absentee voters' affidavits appearing on the sealed ~~ballot~~
107 19 affidavit envelopes. If in the commissioner's judgment this
107 20 procedure is necessary due to the number of absentee ballots
107 21 received, the members of the board may open the sealed ~~ballot~~
107 22 affidavit envelopes and remove the secrecy envelope containing
107 23 the ballot, but under no circumstances shall a secrecy
107 24 envelope be opened before the board convenes on election day.
107 25 If the ~~ballot~~ affidavit envelopes are opened before election
107 26 day, two observers, one appointed by each of the two political
107 27 parties referred to in section 49.13, subsection 2, shall
107 28 witness the proceedings.
107 29 b. If the board finds any ballot not enclosed in a secrecy
107 30 envelope and the ballot is folded in such a way that any of
107 31 the votes cast on the ballot are visible, the two special
107 32 precinct election officials, one from each of the two
107 33 political parties referred to in section 49.13, subsection 2,
107 34 shall place the ballot in a secrecy envelope. No one shall
107 35 examine the ballot. Each of the special precinct election
108 1 officials shall sign the secrecy envelope.

108 2 Sec. 233. Section 53.24, Code 2007, is amended to read as
108 3 follows:
108 4 53.24 COUNTIES USING VOTING MACHINES.
108 5 In counties which provide the special precinct election
108 6 board with voting machines, the ~~absentee ballot affidavit~~
108 7 envelopes shall be opened by the board and the ballots shall,
108 8 without being unfolded, be thoroughly intermingled, after
108 9 which they shall be unfolded and, under the personal
108 10 supervision of precinct election officials of each of the
108 11 political parties, be registered on voting machines the same
108 12 as if the absent voter had been present and voted in person,

CODE: Specifies procedures for special precinct elections and
affidavit envelopes.

108 13 except that a tally of the write-in votes may be kept in the
108 14 tally list rather than on the machine. When two or more
108 15 political subdivisions in the county are holding separate
108 16 elections simultaneously, the commissioner may arrange the
108 17 machine so that the absentee and provisional ballots for more
108 18 than one election may be recorded on the same machine.

108 19 Sec. 234. Section 53.25, Code 2007, is amended to read as
108 20 follows:

108 21 53.25 REJECTING BALLOT.

108 22 ~~In case~~ If the absentee voter's affidavit is found to be
108 23 insufficient, ~~or that~~ if the applicant is not a duly
108 24 registered voter in such precinct, ~~or that the ballot envelope~~
108 25 ~~is open, or has been opened and resealed, or that~~ if the
108 26 ~~ballot affidavit~~ envelope contains more than one ballot of any
108 27 one kind, ~~or that said~~ if the voter has voted in person, such
108 28 vote shall not be accepted or counted. If the affidavit
108 29 envelope is open, or has been opened and resealed, or if the
108 30 ballot is not enclosed in the affidavit envelope, and an
108 31 affidavit envelope with the same serial number and marked
108 32 "Replacement ballot" is not attached as provided in section
108 33 53.18, the vote shall not be accepted or counted.

108 34 If the absentee ballot is rejected prior to the opening of
108 35 the ~~ballot affidavit~~ envelope, the voter casting the ballot
109 1 shall be notified by a precinct election official by the time
109 2 the canvass is completed of the reason for the rejection on a
109 3 form prescribed by the state commissioner of elections.

109 4 Sec. 235. Section 53.27, Code 2007, is amended to read as
109 5 follows:

109 6 53.27 REJECTION OF BALLOT -- RETURN OF ENVELOPE.

109 7 If the ballot is rejected, ~~said ballot~~ the affidavit
109 8 envelope, with the affidavit of the voter endorsed thereon,
109 9 shall be returned with ~~said the~~ rejected ballot in the
109 10 envelope endorsed "Defective ballots".

CODE: Specifies procedures for rejected ballots.

CODE: Changes reference from "ballot" to "affidavit."

109 11 Sec. 236. Section 53.32, Code 2007, is amended to read as
109 12 follows:
109 13 53.32 BALLOT OF DECEASED VOTER.
109 14 When it shall be made to appear by due proof to the
109 15 precinct election officials that any elector, who has so
109 16 marked and forwarded a ballot, has died before the ~~ballot~~
109 17 affidavit envelope is opened, then the ballot of such deceased
109 18 voter shall be endorsed, "Rejected because voter is dead", and
109 19 be returned to the commissioner; but the casting of the ballot
109 20 of a deceased voter shall not invalidate the election.

CODE: Changes reference from "ballot" to "affidavit."

109 21 Sec. 237. Section 53.38, Code 2007, is amended to read as
109 22 follows:
109 23 53.38 WHAT CONSTITUTES REGISTRATION.
109 24 Whenever a ballot is requested pursuant to section 53.39 or
109 25 53.45 on behalf of a voter in the armed forces of the United
109 26 States, the affidavit upon the ~~ballot~~ affidavit envelope of
109 27 such voter, if the voter is found to be an eligible elector of
109 28 the county to which the ballot is submitted, shall constitute
109 29 a sufficient registration under chapter 48A. A completed
109 30 federal postcard registration and federal absentee ballot
109 31 request form submitted by such eligible elector shall also
109 32 constitute a sufficient registration under chapter 48A. The
109 33 commissioner shall place the voter's name on the registration
109 34 record as a registered voter if it does not already appear
109 35 there.

CODE: Changes reference from "ballot" to "affidavit."

110 1 Sec. 238. Section 53.40, unnumbered paragraph 5, Code
110 2 2007, is amended to read as follows:
110 3 If the affidavit on the ~~ballot~~ affidavit envelope shows
110 4 that the affiant is not a qualified voter on the day of the
110 5 election at which the ballot is offered for voting, the
110 6 envelope shall not be opened, but the envelope and ballot
110 7 contained in the envelope shall be preserved and returned by
110 8 the precinct election officials to the commissioner, who shall
110 9 preserve them for the period of time and under the conditions

CODE: Changes reference from "ballot" to "affidavit."

110 10 provided for in sections 50.12 through 50.15 and section
110 11 50.19.

110 12 Sec. 239. Section 53.44, unnumbered paragraph 1, Code
110 13 2007, is amended to read as follows:
110 14 The affidavit on the affidavit envelope used in connection
110 15 with voting by absentee ballot under this division by members
110 16 of the armed forces of the United States need not be notarized
110 17 or witnessed, but the affidavit on ~~the ballot~~ such envelope
110 18 shall be completed and signed by the voter.

CODE: Changes reference from "ballot" to "affidavit."

110 19 DIVISION X
110 20 CORRECTIVE PROVISIONS

110 21 Sec. 240. Section 8.65, subsection 1, paragraph a,
110 22 subparagraph (6), if enacted by 2007 Iowa Acts, Senate File
110 23 155, is amended to read as follows:
110 24 (6) One member representing the councils of governments
110 25 appointed by the president of the Iowa association of regional
110 26 ~~councils of government~~.

CODE: This Division (Sections 240 through 262) contains technical corrective provisions. No specific explanation has been provided for these Sections.

110 27 Sec. 241. Section 35A.15, subsection 2, if enacted by 2007
110 28 Iowa Acts, Senate File 407, section 1, is amended to read as
110 29 follows:
110 30 2. The home ownership assistance program is established to
110 31 continue the program implemented pursuant to ~~2003 Iowa Acts,~~
110 32 ~~chapter 179, section 21, subsection 5, as amended by 2005 Iowa~~
110 33 ~~Acts, chapter 161, section 1, and as amended by 2005 Iowa~~
110 34 ~~Acts, chapter 115, section 37, and continued in accordance~~
110 35 ~~with 2006 Iowa Acts, chapter 1167, sections 3 and 4, and other~~
111 1 appropriations.

111 2 Sec. 242. Section 48A.7A, subsection 4, paragraph b, as
111 3 enacted by 2007 Iowa Acts, House File 653, section 2, is

111 4 amended to read as follows:
 111 5 b. The form of the written oath required of a person
 111 6 attesting to the identity and residency of the registrant
 111 7 shall read as follows:
 111 8 I, (name of registered voter), do solemnly
 111 9 swear or affirm all of the following:
 111 10 I am a preregistered voter in this precinct or I registered
 111 11 to vote in this precinct today, and a registered voter did not
 111 12 sign an oath on my behalf.
 111 13 I am a resident of the precinct, ward
 111 14 or township, city of, county of, Iowa.
 111 15 I reside at (street address) in
 111 16 (street address)
 111 17 (city or township)
 111 18 (city or township)
 111 19 I personally know (name of registrant),
 111 20 (name of registrant)
 111 21 and I personally know that (name of
 111 22 (name of registrant)
 111 23 registrant) is a resident of the precinct,
 111 24 ward or township, city of, county of
 111 25, Iowa.
 111 26 I understand that any false statement in this oath is a
 111 27 class "D" felony punishable by no more than five years in
 111 28 confinement and a fine of at least seven hundred fifty dollars
 111 29 but not more than seven thousand five hundred dollars.
 111 30
 111 31 Signature of Registered Voter
 111 32 Subscribed and sworn before me on (date).
 111 33
 111 34 Signature of Precinct Election Official

111 35 Sec. 243. Section 53.37, subsection 5, Code 2007, as
 112 1 amended by 2007 Iowa Acts, House File 848, section 31, to be
 112 2 subsection 3, paragraph e, is amended to read as follows:
 112 3 e. Citizens of the United States who do not fall under any
 112 4 of the categories described in ~~subsections 1 to 4~~ paragraphs

112 5 "a" through "d", but who are entitled to register and vote
112 6 pursuant to section 48A.5, subsection 4.

112 7 Sec. 244. Section 68A.406, subsection 2, unnumbered
112 8 paragraph 2, Code 2007, as amended by 2007 Iowa Acts, Senate
112 9 File 39, section 7, is amended to read as follows:
112 10 ~~Subparagraphs~~ Paragraphs "d", "e", and "f" shall not apply
112 11 to the posting of signs on private property not a polling
112 12 place, except that the placement of a sign on a motor vehicle,
112 13 trailer, or semitrailer, or any attachment to a motor vehicle,
112 14 trailer, or semitrailer parked on public property within three
112 15 hundred feet of a polling place, which sign is more than
112 16 ninety square inches in size, is prohibited.

112 17 Sec. 245. Section 96.5, subsection 5, paragraph c, Code
112 18 2007, as amended by 2007 Iowa Acts, Senate File 272, section
112 19 27, to be subsection 5, paragraph a, subparagraph (3), is
112 20 amended to read as follows:

112 21 (3) A governmental or other pension, retirement or retired
112 22 pay, annuity, or any other similar periodic payment made under
112 23 a plan maintained or contributed to by a base period or
112 24 chargeable employer where, except for benefits under the
112 25 federal Social Security Act or the federal Railroad Retirement
112 26 Act of 1974 or the corresponding provisions of prior law, the
112 27 plan's eligibility requirements or benefit payments are
112 28 affected by the base period employment or the remuneration for
112 29 the base period employment. However, if an individual's
112 30 benefits are reduced due to the receipt of a payment under
112 31 this ~~paragraph~~ subparagraph, the reduction shall be decreased
112 32 by the same percentage as the percentage contribution of the
112 33 individual to the plan under which the payment is made.

112 34 Sec. 246. Section 147.74, subsection 22, Code 2007, as
112 35 amended by 2007 Iowa Acts, Senate File 74, section 61, is
113 1 amended to read as follows:
113 2 22. A sign language interpreter or transliterator licensed

113 3 under chapter 154E and this chapter may use the title
113 4 "licensed sign language interpreter" or the letters "L. I."
113 5 after the person's name.

113 6 Sec. 247. Section 147.98, Code 2007, as amended by 2007
113 7 Iowa Acts, Senate File 74, section 71, is amended to read as
113 8 follows:
113 9 147.98 EXECUTIVE DIRECTOR OF THE BOARD OF PHARMACY.
113 10 The board of pharmacy may employ a full-time executive
113 11 director, who shall not be a member of the ~~examining~~ board, at
113 12 such compensation as may be fixed pursuant to chapter 8A,
113 13 subchapter IV, but the provisions of section 147.22 providing
113 14 for a secretary for each ~~examining~~ board shall not apply to
113 15 the board of pharmacy.

113 16 Sec. 248. Section 148.10, unnumbered paragraph 1, Code
113 17 2007, as amended by 2007 Iowa Acts, Senate File 74, section
113 18 95, is amended to read as follows:
113 19 The board may, in ~~their~~ its discretion, issue a temporary
113 20 certificate authorizing the licensee to practice medicine and
113 21 surgery or osteopathic medicine and surgery in a specific
113 22 location or locations and for a specified period of time if,
113 23 in the opinion of the board, a need exists and the person
113 24 possesses the qualifications prescribed by the board for the
113 25 license, which shall be substantially equivalent to those
113 26 required for licensure under this chapter or chapter 150A, as
113 27 the case may be. The board shall determine in each instance
113 28 those eligible for this license, whether or not examinations
113 29 shall be given, and the type of examinations. No requirements
113 30 of the law pertaining to regular permanent licensure are
113 31 mandatory for this temporary license except as specifically
113 32 designated by the board. The granting of a temporary license
113 33 does not in any way indicate that the person so licensed is
113 34 necessarily eligible for regular licensure or that the board
113 35 in any way is obligated to so license the person.

114 1 Sec. 249. Section 150A.3, subsection 1, paragraph c, Code

114 2 2007, as that section is amended by 2007 Iowa Acts, Senate
114 3 File 74, section 115, is amended to read as follows:
114 4 c. Present to the Iowa department of public health
114 5 satisfactory evidence that the applicant has completed one
114 6 year of internship or resident training in a hospital approved
114 7 for such training by the ~~medical examiners~~ board.

114 8 Sec. 250. Section 151.12, unnumbered paragraph 1, Code
114 9 2007, as amended by 2007 Iowa Acts, Senate File 74, section
114 10 125, is amended to read as follows:

114 11 The board may, in its discretion, issue a temporary
114 12 certificate authorizing the licensee to practice chiropractic
114 13 if, in the opinion of the ~~chiropractic examiners~~ board, a need
114 14 exists and the person possesses the qualifications prescribed
114 15 by the board for the license, which shall be substantially
114 16 equivalent to those required for licensure under this chapter.
114 17 The board shall determine in each instance those eligible for
114 18 this license, whether or not examinations shall be given, the
114 19 type of examinations, and the duration of the license. No
114 20 requirements of the law pertaining to regular permanent
114 21 licensure are mandatory for this temporary license except as
114 22 specifically designated by the board. The granting of a
114 23 temporary license does not in any way indicate that the person
114 24 so licensed is eligible for regular licensure or that the
114 25 board is obligated to so license the person.

114 26 Sec. 251. Section 154.1, unnumbered paragraph 3, Code
114 27 2007, as amended by 2007 Iowa Acts, Senate File 74, section
114 28 142, to be subsection 4, is amended to read as follows:

114 29 4. Therapeutically certified optometrists may employ all
114 30 diagnostic and therapeutic pharmaceutical agents for the
114 31 purpose of diagnosis and treatment of conditions of the human
114 32 eye and adnexa pursuant to this ~~paragraph~~ subsection,
114 33 excluding the use of injections other than to counteract an
114 34 anaphylactic reaction, and notwithstanding section 147.107,
114 35 may without charge supply any of the above pharmaceuticals to

115 1 commence a course of therapy. Therapeutically certified
115 2 optometrists may prescribe oral steroids for a period not to
115 3 exceed fourteen days without consultation with a primary care
115 4 physician. Therapeutically certified optometrists shall not
115 5 prescribe oral Imuran or oral Methotrexate. Therapeutically
115 6 certified optometrists may be authorized, where reasonable and
115 7 appropriate, by rule of the board, to employ new diagnostic
115 8 and therapeutic pharmaceutical agents approved by the United
115 9 States food and drug administration on or after July 1, 2002,
115 10 for the diagnosis and treatment of the human eye and adnexa.
115 11 The board shall not be required to adopt rules relating to
115 12 topical pharmaceutical agents, oral antimicrobial agents, oral
115 13 antihistamines, oral antiglaucoma agents, and oral analgesic
115 14 agents. Superficial foreign bodies may be removed from the
115 15 human eye and adnexa. The therapeutic efforts of a
115 16 therapeutically certified optometrist are intended for the
115 17 purpose of examination, diagnosis, and treatment of visual
115 18 defects, abnormal conditions, and diseases of the human eye
115 19 and adnexa, for proper optometric practice or referral for
115 20 consultation or treatment to persons licensed under chapter
115 21 148 or 150A. A therapeutically certified optometrist is an
115 22 optometrist who is licensed to practice optometry in this
115 23 state and who is certified by the board to use the agents and
115 24 procedures authorized pursuant to this ~~paragraph~~ subsection.
115 25 A therapeutically certified optometrist shall be provided with
115 26 a distinctive certificate by the board which shall be
115 27 displayed for viewing by the patients of the optometrist.

115 28 Sec. 252. Section 154.3, subsection 5, Code 2007, as
115 29 amended by 2007 Iowa Acts, Senate File 74, section 143, is
115 30 amended to read as follows:

115 31 5. A person applying to be licensed as an optometrist
115 32 after January 1, 1986, shall also apply to be a
115 33 therapeutically certified optometrist and shall, in addition
115 34 to satisfactorily completing all requirements for a license to
115 35 practice optometry, satisfactorily complete a course as
116 1 defined by rule of the board with particular emphasis on the

116 2 examination, diagnosis, and treatment of conditions of the
116 3 human eye and adnexa provided by an institution accredited by
116 4 a regional or professional accreditation organization which is
116 5 recognized or approved by the council on postsecondary
116 6 accreditation of the United States office of education, and
116 7 approved by the board. The rules of the board shall require a
116 8 course including a minimum of forty hours of didactic
116 9 education and sixty hours of approved supervised clinical
116 10 training in the examination, diagnosis, and treatment of
116 11 conditions of the human eye and adnexa. The board may also,
116 12 by rule, provide a procedure by which an applicant who has
116 13 received didactic education meeting the requirements of rules
116 14 adopted pursuant to this subsection at an approved school of
116 15 optometry may apply to the board for a waiver of the didactic
116 16 education requirements of this subsection.

116 17 Sec. 253. Section 284.8, subsection 4, if enacted by 2007
116 18 Iowa Acts, Senate File 277, section 32, is amended to read as
116 19 follows:

116 20 4. A teacher who is not meeting the applicable standards
116 21 and criteria based on a determination made pursuant to
116 22 subsection ~~3~~ 2 shall participate in an intensive assistance
116 23 program.

116 24 Sec. 254. Section 499.47, subsection 3, Code 2007, as
116 25 amended by 2007 Iowa Acts, Senate File 319, section 5, is
116 26 amended to read as follows:

116 27 3. Upon the expiration or voluntary dissolution of an
116 28 association, the members shall designate three of their number
116 29 as trustees to replace the officers and directors and wind up
116 30 its affairs. The trustees shall have all the powers of the
116 31 board, including the power to sell and convey real or personal
116 32 property and execute conveyances. Within the time fixed in
116 33 their designation, or any extension of that time, the trustees
116 34 shall liquidate the association's assets, pay its debts and
116 35 expenses, and distribute remaining funds among the members.

117 1 Upon distribution of remaining assets the association shall
117 2 stand dissolved and cease to exist. The trustees shall make
117 3 and sign a ~~duplicate~~ report of the dissolution. ~~One copy of~~
117 4 ~~the~~ The report shall be filed with the secretary of state.

117 5 Sec. 255. Section 513B.2, subsection 6, paragraph a,
117 6 subparagraph (4), unnumbered paragraph 1, as enacted by 2007
117 7 Iowa Acts, House File 790, section 4, is amended to read as
117 8 follows:

117 9 The coverages are provided by a policy of group health
117 10 insurance coverage through two or more bona fide associations
117 11 as provided in section 509.1, subsection 7A, which a small
117 12 employer carrier has aggregated as a distinct grouping that
117 13 meets the requirements for a class of business under section
117 14 513B.4. After a distinct grouping of bona fide associations
117 15 is established as a class of business, the small ~~group~~
117 16 ~~employer~~ carrier shall not remove a bona fide association from
117 17 the class based on the claims experience of that association.
117 18 A small employer carrier may condition coverages under such a
117 19 policy of group health insurance coverage on any of the
117 20 following requirements:

117 21 Sec. 256. Section 515.82, Code 2007, as amended by 2007
117 22 Iowa Acts, Senate File 518, section 61, is amended to read as
117 23 follows:

117 24 515.82 SHORT RATES.

117 25 The commissioner of insurance shall prepare and promulgate
117 26 tables of the short rates provided for in sections ~~514.125~~
117 27 515.125 and 515.126, for the various kinds and classes of
117 28 insurance governed by the provisions of this chapter, which,
117 29 when promulgated, shall be for the guidance of all companies
117 30 covered in this chapter and shall be the rate to be given in
117 31 any notice therein required. No company shall discriminate
117 32 unfairly between like assureds in the rate or rates so
117 33 provided.

117 34 Sec. 257. Section 715.6, Code 2007, as amended by 2007
117 35 Iowa Acts, Senate File 333, if enacted, is amended to read as
118 1 follows:
118 2 715.6 EXCEPTIONS.
118 3 Sections 715.4 and 715.5 shall not apply to the monitoring
118 4 of, or interaction with, an owner's or an operator's internet
118 5 or other network connection, service, or computer, by a
118 6 telecommunications carrier, cable operator, computer hardware
118 7 or software provider, or provider of information service or
118 8 interactive computer service for network or computer security
118 9 purposes, diagnostics, technical support, maintenance, repair,
118 10 authorized updates of computer software or system firmware,
118 11 authorized remote system management, or detection, criminal
118 12 investigation, or prevention of the use of or fraudulent or
118 13 other illegal activities prohibited in this chapter in
118 14 connection with a network, service, or computer software,
118 15 including scanning for and removing computer software
118 16 prescribed under this chapter. Nothing in this chapter shall
118 17 limit the rights of providers of wire and electronic
118 18 communications under 18 U.S.C. § 2511.

118 19 Sec. 258. 2006 Iowa Acts, chapter 1106, section 1,
118 20 subsection 5, paragraph c, as amended by 2007 Iowa Acts,
118 21 Senate File 272, section 112, is amended to read as follows:
118 22 c. Grants for veterans injured after September 11, 2001,
118 23 but prior to the effective date of this section of this Act
118 24 shall be payable, upon a showing that the veteran would have
118 25 been eligible for payment had the injury occurred on or after
118 26 the effective date of this section of this Act.

118 27 Sec. 259. 2007 Iowa Acts, House File 579, section 3, the
118 28 bill section amending clause, is amended to read as follows:
118 29 SEC. 3. Section 805.6, subsection 1, paragraph a,
118 30 unnumbered paragraph 3, Code 2007, is amended to read as
118 31 follows:

118 32 Sec. 260. 2007 Iowa Acts, Senate File 74, section 43, is
118 33 repealed.

118 34 Sec. 261. 2007 Iowa Acts, Senate File 403, section 29, if
118 35 enacted, is amended to read as follows:
119 1 SEC. 29. EFFECTIVE DATE. The sections of this division of
119 2 this Act enacting section 268.6 and amending section ~~534B.54~~
119 3 543B.54 take effect July 1, 2007.

119 4 Sec. 262. 2007 Iowa Acts, Senate File 535, section 44,
119 5 subsection 1, unnumbered paragraph 1, is amended to read as
119 6 follows:
119 7 If 2007 Iowa Acts, House File 716 is enacted,
119 8 notwithstanding section ~~4.4~~ 4.8, all of the following apply:

119 9 SF 601
119 10 mg:jp/cc/26

Summary Data

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
Administration and Regulation	\$ 0	\$ 0	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	
Ag. and Natural Resources	10,000	0	10,000	10,000	10,000	10,000	
Economic Development	285,000	400,000	-400,000	-400,000	-400,000	-800,000	
Education	0	0	2,995,000	2,995,000	2,995,000	2,995,000	
Health and Human Services	28,507,362	38,888,041	250,000	250,000	250,000	-38,638,041	
Justice System	0	0	17,660,000	17,660,000	17,660,000	17,660,000	
Unassigned Standing	<u>110,166,838</u>	<u>110,497,822</u>	<u>240,142,112</u>	<u>240,142,112</u>	<u>240,142,112</u>	<u>129,644,290</u>	
Grand Total	<u>\$ 138,969,200</u>	<u>\$ 149,785,863</u>	<u>\$ 260,677,112</u>	<u>\$ 260,677,112</u>	<u>\$ 260,677,112</u>	<u>\$ 110,891,249</u>	

Administration and Regulation

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Administrative Services, Dept. of</u>							
Administrative Services							
Shuttle Service	\$ 0	\$ 0	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	PG 18 LN 20
Total Administrative Services, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 120,000</u>	<u>\$ 120,000</u>	<u>\$ 120,000</u>	<u>\$ 120,000</u>	
<u>Secretary of State</u>							
Secretary of State							
Admin/Elections/Voter Reg	\$ 0	\$ 0	\$ -100,000	\$ -100,000	\$ -100,000	\$ -100,000	PG 37 LN 14
Total Secretary of State	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ -100,000</u>	<u>\$ -100,000</u>	<u>\$ -100,000</u>	<u>\$ -100,000</u>	
Total Administration and Regulation	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 20,000</u></u>	<u><u>\$ 20,000</u></u>	<u><u>\$ 20,000</u></u>	<u><u>\$ 20,000</u></u>	

Ag. and Natural Resources

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Agriculture and Land Stewardship</u>							
Agriculture and Land Stewardship							
Junior Angus Cattle Show	\$ 0	\$ 0	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	PG 24 LN 14
IA Shorthorn Association	10,000	0	0	0	0	0	
Total Agriculture and Land Stewardship	<u>\$ 10,000</u>	<u>\$ 0</u>	<u>\$ 10,000</u>	<u>\$ 10,000</u>	<u>\$ 10,000</u>	<u>\$ 10,000</u>	
Total Ag. and Natural Resources	<u>\$ 10,000</u>	<u>\$ 0</u>	<u>\$ 10,000</u>	<u>\$ 10,000</u>	<u>\$ 10,000</u>	<u>\$ 10,000</u>	

Economic Development

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Economic Development, Dept. of</u>							
Economic Development, Department of							
World Food Prize	\$ 285,000	\$ 400,000	\$ 0	\$ 0	\$ 0	\$ -400,000	PG 28 LN 10
Main Street Program	0	0	-100,000	-100,000	-100,000	-100,000	PG 35 LN 28
UNI - Economic Dev. Reduction	0	0	-100,000	-100,000	-100,000	-100,000	PG 36 LN 16
World Food Prize-Reduction	0	0	-200,000	-200,000	-200,000	-200,000	PG 36 LN 10
Total Economic Development, Dept. of	\$ 285,000	\$ 400,000	\$ -400,000	\$ -400,000	\$ -400,000	\$ -800,000	
Total Economic Development	\$ 285,000	\$ 400,000	\$ -400,000	\$ -400,000	\$ -400,000	\$ -800,000	

Education

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>College Aid Commission</u>							
College Student Aid Commission							
All Iowa Opportunity Scholarships	\$ 0	\$ 0	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	PG 21 LN 10
Total College Aid Commission	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 500,000</u>	<u>\$ 500,000</u>	<u>\$ 500,000</u>	<u>\$ 500,000</u>	
<u>Education, Department of</u>							
Education, Department of							
IA Western Deaf Interpreters	\$ 0	\$ 0	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	PG 19 LN 2
Community Colleges Salaries	0	0	2,000,000	2,000,000	2,000,000	2,000,000	PG 19 LN 13
Before and After School Prog.	0	0	295,000	295,000	295,000	295,000	PG 21 LN 27
Total Education, Department of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 2,495,000</u>	<u>\$ 2,495,000</u>	<u>\$ 2,495,000</u>	<u>\$ 2,495,000</u>	
Total Education	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 2,995,000</u></u>	<u><u>\$ 2,995,000</u></u>	<u><u>\$ 2,995,000</u></u>	<u><u>\$ 2,995,000</u></u>	

Health and Human Services

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Elder Affairs, Department of</u>							
Elder Affairs, Department of Livable Community Initiative	\$ 0	\$ 0	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	PG 20 LN 15
Total Elder Affairs, Department of	\$ 0	\$ 0	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	
<u>Public Health, Department of</u>							
Public Health, Department of 211 Program	\$ 0	\$ 0	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	PG 22 LN 13
Total Public Health, Department of	\$ 0	\$ 0	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	
<u>Human Services, Department of</u>							
Human Services - Assistance MH/DD Growth Factor	\$ 28,507,362	\$ 38,888,041	\$ 0	\$ 0	\$ 0	\$ -38,888,041	PG 1 LN 4
Total Human Services, Department of	\$ 28,507,362	\$ 38,888,041	\$ 0	\$ 0	\$ 0	\$ -38,888,041	
Total Health and Human Services	\$ 28,507,362	\$ 38,888,041	\$ 250,000	\$ 250,000	\$ 250,000	\$ -38,638,041	

Justice System

General Fund

	Actual FY 2006 (1)	Estimated FY 2007 (2)	Senate Action FY 2008 (3)	House Action FY 2008 (4)	Final Action FY 2008 (5)	Final Action vs. Est 2007 (6)	Page and Line # (7)
<u>Justice, Department of</u>							
Justice, Department of							
Farm Mediation	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	PG 22 LN 3
Legal Service Poverty Grants	0	0	450,000	450,000	450,000	450,000	PG 24 LN 3
Total Justice, Department of	\$ 0	\$ 0	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	
<u>Corrections, Department of</u>							
Community Based Corrections District 6							
CBC District VI Reduction	\$ 0	\$ 0	\$ -200,000	\$ -200,000	\$ -200,000	\$ -200,000	PG 37 LN 7
Corrections-Central Office							
Corrections Ed.-Reduction	\$ 0	\$ 0	\$ -500,000	\$ -500,000	\$ -500,000	\$ -500,000	PG 36 LN 35
Corrections - Newton							
Newton Correctional Facility	\$ 0	\$ 0	\$ 560,000	\$ 560,000	\$ 560,000	\$ 560,000	PG 23 LN 28
Total Corrections, Department of	\$ 0	\$ 0	\$ -140,000	\$ -140,000	\$ -140,000	\$ -140,000	
<u>Judicial Branch</u>							
Judicial Branch							
Judicial Branch Operations	\$ 0	\$ 0	\$ 14,200,000	\$ 14,200,000	\$ 14,200,000	\$ 14,200,000	PG 23 LN 7
Total Judicial Branch	\$ 0	\$ 0	\$ 14,200,000	\$ 14,200,000	\$ 14,200,000	\$ 14,200,000	
<u>Inspections & Appeals, Department of</u>							
Public Defender							
Indigent Defense	\$ 0	\$ 0	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	PG 23 LN 17
Total Inspections & Appeals, Department of	\$ 0	\$ 0	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	
Total Justice System	\$ 0	\$ 0	\$ 17,660,000	\$ 17,660,000	\$ 17,660,000	\$ 17,660,000	

Unassigned Standing

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
Administrative Services, Dept. of							
State Accounting Trust Accounts							
Mun. Fire & Police Retirement	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 0	PG 2 LN 35
Total Administrative Services, Dept. of	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	\$ 0	
Education, Department of							
Education, Department of							
AEA State Aid Reduction	\$ 0	\$ 0	\$ -5,250,000	\$ -5,250,000	\$ -5,250,000	\$ -5,250,000	PG 5 LN 25
Child Development Increase	0	0	46,196	46,196	46,196	46,196	PG 31 LN 8
Instructional Support	14,428,238	14,428,271	14,428,271	14,428,271	14,428,271	0	PG 2 LN 22
Nonpublic Transportation	8,273,763	8,604,714	8,604,714	8,604,714	8,604,714	0	PG 2 LN 25
Early Intervention Block Grant	29,250,000	29,250,000	29,250,000	29,250,000	29,250,000	0	PG 30 LN 34
Teacher Excellence Program	55,469,053	55,469,053	55,469,053	55,469,053	55,469,053	0	PG 2 LN 32
Total Education, Department of	\$ 107,421,054	\$ 107,752,038	\$ 102,548,234	\$ 102,548,234	\$ 102,548,234	\$ -5,203,804	
Management, Department of							
Management, Department of							
Property Tax Credit Fund	\$ 0	\$ 0	\$ 28,000,000	\$ 28,000,000	\$ 28,000,000	\$ 28,000,000	PG 3 LN 21
State Salary Increase	0	0	106,848,094	106,848,094	106,848,094	106,848,094	PG 10 LN 31
Total Management, Department of	\$ 0	\$ 0	\$ 134,848,094	\$ 134,848,094	\$ 134,848,094	\$ 134,848,094	
Total Unassigned Standing	\$ 110,166,838	\$ 110,497,822	\$ 240,142,112	\$ 240,142,112	\$ 240,142,112	\$ 129,644,290	

Summary Data

Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
Administration and Regulation	\$ 10,868,803	\$ 11,010,058	\$ 14,083,080	\$ 14,083,080	\$ 14,083,080	\$ 3,073,022	
Trans., Infra., and Capitals	0	0	1,428,624	1,428,624	1,428,624	1,428,624	
Unassigned Standing	<u>159,663,964</u>	<u>159,868,964</u>	<u>164,868,964</u>	<u>164,868,964</u>	<u>164,868,964</u>	<u>5,000,000</u>	
Grand Total	<u>\$ 170,532,767</u>	<u>\$ 170,879,022</u>	<u>\$ 180,380,668</u>	<u>\$ 180,380,668</u>	<u>\$ 180,380,668</u>	<u>\$ 9,501,646</u>	

Administration and Regulation

Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Management, Department of</u>							
Management, Department of							
Road Use Tax Salary Adjustment	\$ 1,635,317	\$ 1,416,695	\$ 2,294,814	\$ 2,294,814	\$ 2,294,814	\$ 878,119	PG 14 LN 7
Primary Road Salary Adjustment	9,233,486	9,593,363	11,788,266	11,788,266	11,788,266	2,194,903	PG 14 LN 15
Total Management, Department of	<u>\$ 10,868,803</u>	<u>\$ 11,010,058</u>	<u>\$ 14,083,080</u>	<u>\$ 14,083,080</u>	<u>\$ 14,083,080</u>	<u>\$ 3,073,022</u>	
Total Administration and Regulation	<u>\$ 10,868,803</u>	<u>\$ 11,010,058</u>	<u>\$ 14,083,080</u>	<u>\$ 14,083,080</u>	<u>\$ 14,083,080</u>	<u>\$ 3,073,022</u>	

Trans., Infra., and Capitals

Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Transportation, Department of</u>							
Transportation, Department of							
RUTF - Operations	\$ 0	\$ 0	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	PG 26 LN 8
RUTF-DAS Increase	0	0	43,207	43,207	43,207	43,207	
PRF-Operations	0	0	103,200	103,200	103,200	103,200	PG 26 LN 14
PRF-DAS Increase	0	0	265,417	265,417	265,417	265,417	PG 26 LN 22
Total Transportation, Department of	\$ 0	\$ 0	\$ 428,624	\$ 428,624	\$ 428,624	\$ 428,624	
<u>Veterans Affairs Capitals</u>							
Veterans Affairs Capital							
Home Ownership Prog.-RIIF	\$ 0	\$ 0	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	PG 35 LN 3
Total Veterans Affairs Capitals	\$ 0	\$ 0	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	
Total Trans., Infra., and Capitals	\$ 0	\$ 0	\$ 1,428,624	\$ 1,428,624	\$ 1,428,624	\$ 1,428,624	

Unassigned Standing

Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Management, Department of</u>							
Management, Department of							
Environment First Fund Increase	\$ 0	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	PG 5 LN 17
Total Management, Department of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>	
<u>Revenue, Dept. of</u>							
Revenue, Department of							
Homestead Prop. Tax Credit-PTCF	\$ 102,945,379	\$ 102,945,379	\$ 99,254,781	\$ 99,254,781	\$ 99,254,781	\$ -3,690,598	PG 3 LN 34
Ag. Land & Family Farm Tax Credit-PTCF	34,610,183	34,610,183	34,610,183	34,610,183	34,610,183	0	PG 4 LN 2
Military Service Tax Credit-PTCF	2,568,402	2,773,402	2,800,000	2,800,000	2,800,000	26,598	PG 4 LN 5
Elderly & Disabled Tax Credit-PTCF	19,540,000	19,540,000	23,204,000	23,204,000	23,204,000	3,664,000	PG 4 LN 8
Total Revenue, Dept. of	<u>\$ 159,663,964</u>	<u>\$ 159,868,964</u>	<u>\$ 159,868,964</u>	<u>\$ 159,868,964</u>	<u>\$ 159,868,964</u>	<u>\$ 0</u>	
Total Unassigned Standing	<u><u>\$ 159,663,964</u></u>	<u><u>\$ 159,868,964</u></u>	<u><u>\$ 164,868,964</u></u>	<u><u>\$ 164,868,964</u></u>	<u><u>\$ 164,868,964</u></u>	<u><u>\$ 5,000,000</u></u>	

Summary Data

FTE

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
Administration and Regulation	0.00	0.00	4.50	4.50	4.50	4.50	
Trans., Infra., and Capitals	<u>0.00</u>	<u>0.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	
Grand Total	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>5.50</u></u>	<u><u>5.50</u></u>	<u><u>5.50</u></u>	<u><u>5.50</u></u>	

Administration and Regulation

FTE

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Commerce, Department of</u>							
Insurance Division							
Insurance Div. FTE Increase	0.00	0.00	0.50	0.50	0.50	0.50	PG 26 LN 34
Total Commerce, Department of	<u>0.00</u>	<u>0.00</u>	<u>0.50</u>	<u>0.50</u>	<u>0.50</u>	<u>0.50</u>	
<u>Office of Energy Independence</u>							
Office of Energy Independence							
FTE Positions	0.00	0.00	4.00	4.00	4.00	4.00	PG 27 LN 8
Total Office of Energy Independence	<u>0.00</u>	<u>0.00</u>	<u>4.00</u>	<u>4.00</u>	<u>4.00</u>	<u>4.00</u>	
Total Administration and Regulation	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>4.50</u></u>	<u><u>4.50</u></u>	<u><u>4.50</u></u>	<u><u>4.50</u></u>	

Trans., Infra., and Capitals

FTE

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Action FY 2008 <u>(3)</u>	House Action FY 2008 <u>(4)</u>	Final Action FY 2008 <u>(5)</u>	Final Action vs. Est 2007 <u>(6)</u>	Page and Line # <u>(7)</u>
<u>Transportation, Department of</u>							
Transportation, Department of PRF-Operations	0.00	0.00	1.00	1.00	1.00	1.00	PG 26 LN 14
Total Transportation, Department of	<u>0.00</u>	<u>0.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>	
Total Trans., Infra., and Capitals	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>1.00</u></u>	<u><u>1.00</u></u>	<u><u>1.00</u></u>	<u><u>1.00</u></u>	